

ASSEMBLY BILL

No. 2915

Introduced by Committee on Governmental Organization (Assembly Members Gray (Chair), Bigelow (Vice Chair), Alejo, Bonta, Campos, Cooley, Cooper, Daly, Gallagher, Gipson, Jones-Sawyer, Levine, Linder, Maienschein, Salas, and Wilk)

March 17, 2016

An act to add Title 16.5 (commencing with Section 98020) to, to repeal Sections 12012.5, 12012.25, 12012.30, 12012.35, 12012.40, 12012.45, 12012.46, 12012.465, 12012.47, 12012.475, 12012.48, 12012.485, 12012.49, 12012.495, 12012.51, 12012.515, 12012.52, 12012.53, 12012.54, 12012.551, 12012.56, 12012.57, 12012.58, 12012.585, 12012.60, 12012.61, 12012.62, 12012.64, 12012.66, 12012.67, 12012.68, 12012.69, 12012.75, 12012.85, 12012.90, and 12012.95 of, to repeal Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of, and to repeal Chapter 3 (commencing with Section 98075) of Title 16.5 of, the Government Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 2915, as introduced, Committee on Governmental Organization. Tribal gaming.

Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature.

Existing law ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes. Existing law creates in the State Treasury the Indian Gaming Revenue Sharing Trust Fund and the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those funds to be used for certain purposes. Existing law, until January 1, 2021, establishes the method of calculating the distribution of appropriations from the Indian Gaming Special Distribution Fund for grants to local government agencies impacted by tribal gaming.

This bill would reorganize, and make technical, nonsubstantive changes to, these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12012.5 of the Government Code is
2 repealed.
3 ~~12012.5. (a) The following tribal-state compacts entered in~~
4 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~
5 ~~U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are~~
6 ~~hereby ratified:~~
7 ~~(1) The compact between the State of California and the Barona~~
8 ~~Band of Mission Indians, executed on August 12, 1998.~~
9 ~~(2) The compact between the State of California and the Big~~
10 ~~Sandy Rancheria of Mono Indians, executed on July 20, 1998.~~
11 ~~(3) The compact between the State of California and the Cher-Ae~~
12 ~~Heights Indian Community of Trinidad Rancheria, executed on~~
13 ~~July 13, 1998.~~
14 ~~(4) The compact between the State of California and the Jackson~~
15 ~~Rancheria Band of Miwuk Indians, executed on July 13, 1998.~~
16 ~~(5) The compact between the State of California and the~~
17 ~~Mooretown Rancheria of Concow/Maidu Indians, executed on~~
18 ~~July 13, 1998.~~
19 ~~(6) The compact between the State of California and the Pala~~
20 ~~Band of Mission Indians, as approved by the Secretary of the~~
21 ~~Interior on April 25, 1998.~~

1 ~~(7) The compact between the State of California and the Redding~~
2 ~~Rancheria, executed on August 11, 1998.~~

3 ~~(8) The compact between the State of California and the Rumsey~~
4 ~~Indian Rancheria of Wintun Indians of California, executed on~~
5 ~~July 13, 1998.~~

6 ~~(9) The compact between the State of California and the Syeuan~~
7 ~~Band of Mission Indians, executed on August 12, 1998.~~

8 ~~(10) The compact between the State of California and the Table~~
9 ~~Mountain Rancheria, executed on July 13, 1998.~~

10 ~~(11) The compact between the State of California and the Viejas~~
11 ~~Band of Kumeyaay Indians, executed on or about August 17, 1998.~~

12 ~~The terms of each compact apply only to the State of California~~
13 ~~and the tribe that has signed it, and the terms of these compacts~~
14 ~~do not bind any tribe that is not a signatory to any of the compacts.~~

15 ~~(b) Any other compact entered into between the State of~~
16 ~~California and any other federally recognized Indian tribe which~~
17 ~~is executed after August 24, 1998, is hereby ratified if (1) the~~
18 ~~compact is identical in all material respects to any of the compacts~~
19 ~~ratified pursuant to subdivision (a), and (2) the compact is not~~
20 ~~rejected by each house of the Legislature, two-thirds of the~~
21 ~~membership thereof concurring, within 30 days of the date of the~~
22 ~~submission of the compact to the Legislature by the Governor.~~
23 ~~However, if the 30-day period ends during a joint recess of the~~
24 ~~Legislature, the period shall be extended until the fifteenth day~~
25 ~~following the day on which the Legislature reconvenes. A compact~~
26 ~~will be deemed to be materially identical to a compact ratified~~
27 ~~pursuant to subdivision (a) if the Governor certifies that it is~~
28 ~~materially identical at the time he or she submits it to the~~
29 ~~Legislature.~~

30 ~~(c) The Legislature acknowledges the right of federally~~
31 ~~recognized tribes to exercise their sovereignty to negotiate and~~
32 ~~enter into compacts with the state that are materially different from~~
33 ~~the compacts ratified pursuant to subdivision (a). These compacts~~
34 ~~shall be ratified upon approval of each house of the Legislature, a~~
35 ~~majority of the membership thereof concurring.~~

36 ~~(d) The Governor is the designated state officer responsible for~~
37 ~~negotiating and executing, on behalf of the state, tribal-state gaming~~
38 ~~compacts with federally recognized Indian tribes in the State of~~
39 ~~California pursuant to the federal Indian Gaming Regulatory Act~~
40 ~~of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et~~

1 ~~seq.) for the purpose of authorizing class III gaming, as defined~~
2 ~~in that act, on Indian lands. Nothing in this section shall be~~
3 ~~construed to deny the existence of the Governor's authority to have~~
4 ~~negotiated and executed tribal-state compacts prior to the effective~~
5 ~~date of this section.~~

6 ~~(e) The Governor is authorized to waive the state's immunity~~
7 ~~to suit in federal court in connection with any compact negotiated~~
8 ~~with an Indian tribe or any action brought by an Indian tribe under~~
9 ~~the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq.~~
10 ~~and 25 U.S.C. Sec. 2701 et seq.).~~

11 ~~(f) In deference to tribal sovereignty, the execution of, and~~
12 ~~compliance with the terms of, any compact specified under~~
13 ~~subdivision (a) or (b) shall not be deemed to constitute a project~~
14 ~~for purposes of the California Environmental Quality Act (Division~~
15 ~~13 (commencing with Section 21000) of the Public Resources~~
16 ~~Code).~~

17 ~~(g) Nothing in this section shall be interpreted to authorize the~~
18 ~~unilateral imposition of a statewide limit on the number of lottery~~
19 ~~devices or of any allocation system for lottery devices on any~~
20 ~~Indian tribe that has not entered into a compact that provides for~~
21 ~~such a limit or allocation system. Each tribe may negotiate~~
22 ~~separately with the state over these matters on a~~
23 ~~government-to-government basis.~~

24 ~~SEC. 2. Section 12012.25 of the Government Code is repealed.~~

25 ~~12012.25. (a) The following tribal-state gaming compacts~~
26 ~~entered into in accordance with the Indian Gaming Regulatory Act~~
27 ~~of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.~~
28 ~~2701 et seq.) are hereby ratified:~~

29 ~~(1) The compact between the State of California and the Alturas~~
30 ~~Rancheria, executed on September 10, 1999.~~

31 ~~(2) The compact between the State of California and the Barona~~
32 ~~Band of Mission Indians, executed on September 10, 1999.~~

33 ~~(3) The compact between the State of California and the Big~~
34 ~~Sandy Rancheria Band of Mono Indians, executed on September~~
35 ~~10, 1999.~~

36 ~~(4) The compact between the State of California and the Big~~
37 ~~Valley Rancheria, executed on September 10, 1999.~~

38 ~~(5) The compact between the State of California and the Bishop~~
39 ~~Paiute Tribe, executed on September 10, 1999.~~

1 ~~(6) The compact between the State of California and the Blue~~
2 ~~Lake Rancheria, executed on September 10, 1999.~~

3 ~~(7) The compact between the State of California and the Buena~~
4 ~~Vista Band of Me-wuk Indians, executed on September 10, 1999.~~

5 ~~(8) The compact between the State of California and the~~
6 ~~Cabazon Band of Mission Indians, executed on September 10,~~
7 ~~1999.~~

8 ~~(9) The compact between the State of California and the Cahto~~
9 ~~Tribe of Laytonville, executed on September 10, 1999.~~

10 ~~(10) The compact between the State of California and the~~
11 ~~Cahuilla Band of Mission Indians, executed on September 10,~~
12 ~~1999.~~

13 ~~(11) The compact between the State of California and the Campo~~
14 ~~Band of Mission Indians, executed on September 10, 1999.~~

15 ~~(12) The compact between the State of California and the~~
16 ~~Chemehuevi Indian Tribe, executed on September 10, 1999.~~

17 ~~(13) The compact between the State of California and the~~
18 ~~Chicken Ranch Rancheria, executed on September 10, 1999.~~

19 ~~(14) The compact between the State of California and the Coast~~
20 ~~Indian Community of the Resighini Rancheria, executed on~~
21 ~~September 10, 1999.~~

22 ~~(15) The compact between the State of California and the Colusa~~
23 ~~Indian Community, executed on September 10, 1999.~~

24 ~~(16) The compact between the State of California and the Dry~~
25 ~~Creek Rancheria Band of Pomo Indians, executed on September~~
26 ~~10, 1999.~~

27 ~~(17) The compact between the State of California and the Elk~~
28 ~~Valley Rancheria, executed on September 10, 1999.~~

29 ~~(18) The compact between the State of California and the~~
30 ~~Ewiiapaayp Band of Kumeyaay, executed on September 10, 1999.~~

31 ~~(19) The compact between the State of California and the Hoopa~~
32 ~~Valley Tribe, executed on September 10, 1999.~~

33 ~~(20) The compact between the State of California and the~~
34 ~~Hopland Band of Pomo Indians, executed on September 10, 1999.~~

35 ~~(21) The compact between the State of California and the~~
36 ~~Jackson Band of Mi-Wuk Indians, executed on September 10,~~
37 ~~1999.~~

38 ~~(22) The compact between the State of California and the Jamul~~
39 ~~Indian Reservation, executed on September 10, 1999.~~

- 1 ~~(23) The compact between the State of California and the La~~
2 ~~Jolla Indian Reservation, executed on September 10, 1999.~~
3 ~~(24) The compact between the State of California and the~~
4 ~~Manzanita Tribe of Kumeyaay Indians, executed on September~~
5 ~~10, 1999.~~
6 ~~(25) The compact between the State of California and the Mesa~~
7 ~~Grande Band of Mission Indians, executed on September 10, 1999.~~
8 ~~(26) The compact between the State of California and the~~
9 ~~Middletown Rancheria Band of Pomo Indians, executed on~~
10 ~~September 10, 1999.~~
11 ~~(27) The compact between the State of California and the~~
12 ~~Morongo Band of Mission Indians, executed on September 10,~~
13 ~~1999.~~
14 ~~(28) The compact between the State of California and the~~
15 ~~Mooretown Rancheria Coneow Maidu Tribe, executed on~~
16 ~~September 10, 1999.~~
17 ~~(29) The compact between the State of California and the Pala~~
18 ~~Band of Mission Indians, executed on September 10, 1999.~~
19 ~~(30) The compact between the State of California and the~~
20 ~~Paskenta Band of Nomlaki Indians, executed on September 10,~~
21 ~~1999.~~
22 ~~(31) The compact between the State of California and the~~
23 ~~Pechanga Band of Luiseno Indians, executed on September 10,~~
24 ~~1999.~~
25 ~~(32) The compact between the State of California and the~~
26 ~~Picayune Rancheria of Chukchansi Indians, executed on September~~
27 ~~10, 1999.~~
28 ~~(33) The compact between the State of California and the~~
29 ~~Quechan Nation, executed on September 10, 1999.~~
30 ~~(34) The compact between the State of California and the~~
31 ~~Redding Rancheria, executed on September 10, 1999.~~
32 ~~(35) The compact between the State of California and the~~
33 ~~Rincon, San Luiseno Band of Mission Indians, executed on~~
34 ~~September 10, 1999.~~
35 ~~(36) The compact between the State of California and the~~
36 ~~Rumsey Band of Wintun Indians, executed on September 10, 1999.~~
37 ~~(37) The compact between the State of California and the~~
38 ~~Robinson Rancheria Band of Pomo Indians, executed on September~~
39 ~~10, 1999.~~

1 ~~(38) The compact between the State of California and the~~
2 ~~Rohnerville Rancheria, executed on September 10, 1999.~~

3 ~~(39) The compact between the State of California and the San~~
4 ~~Manuel Band of Mission Indians, executed on September 10, 1999.~~

5 ~~(40) The compact between the State of California and the San~~
6 ~~Pasqual Band of Mission Indians, executed on September 10, 1999.~~

7 ~~(41) The compact between the State of California and the Santa~~
8 ~~Rosa Rancheria Tachi Tribe, executed on September 10, 1999.~~

9 ~~(42) The compact between the State of California and the Santa~~
10 ~~Ynez Band of Chumash Indians, executed on September 10, 1999.~~

11 ~~(43) The compact between the State of California and the~~
12 ~~Sherwood Valley Rancheria Band of Pomo Indians, executed on~~
13 ~~September 10, 1999.~~

14 ~~(44) The compact between the State of California and the~~
15 ~~Shingle Springs Band of Miwok Indians, executed on September~~
16 ~~10, 1999.~~

17 ~~(45) The compact between the State of California and the Smith~~
18 ~~River Rancheria, executed on September 10, 1999.~~

19 ~~(46) The compact between the State of California and the~~
20 ~~Soboba Band of Mission Indians, executed on September 10, 1999.~~

21 ~~(47) The compact between the State of California and the~~
22 ~~Susanville Indian Rancheria, executed on September 10, 1999.~~

23 ~~(48) The compact between the State of California and the Syeuan~~
24 ~~Band of Kumeyaay Indians, executed on September 10, 1999.~~

25 ~~(49) The compact between the State of California and the Table~~
26 ~~Mountain Rancheria, executed on September 10, 1999.~~

27 ~~(50) The compact between the State of California and the~~
28 ~~Trinidad Rancheria, executed on September 10, 1999.~~

29 ~~(51) The compact between the State of California and the Tule~~
30 ~~River Indian Tribe, executed on September 10, 1999.~~

31 ~~(52) The compact between the State of California and the~~
32 ~~Tuolumne Band of Me-wuk Indians, executed on September 10,~~
33 ~~1999.~~

34 ~~(53) The compact between the State of California and the~~
35 ~~Twenty Nine Palms Band of Mission Indians, executed on~~
36 ~~September 10, 1999.~~

37 ~~(54) The compact between the State of California and the Tyme~~
38 ~~Maidu Tribe, Berry Creek Rancheria, executed on September 10,~~
39 ~~1999.~~

1 ~~(55) The compact between the State of California and the United~~
2 ~~Auburn Indian Community, executed on September 10, 1999.~~

3 ~~(56) The compact between the State of California and the Viejas~~
4 ~~Band of Kumeyaay Indians, executed on September 10, 1999.~~

5 ~~(57) The compact between the State of California and the Coyote~~
6 ~~Valley Band of Pomo Indians, executed on September 10, 1999.~~

7 ~~(b) Any other tribal-state gaming compact entered into between~~
8 ~~the State of California and a federally recognized Indian tribe~~
9 ~~which is executed after September 10, 1999, is hereby ratified if~~
10 ~~both of the following are true:~~

11 ~~(1) The compact is identical in all material respects to any of~~
12 ~~the compacts expressly ratified pursuant to subdivision (a). A~~
13 ~~compact shall be deemed to be materially identical to a compact~~
14 ~~ratified pursuant to subdivision (a) if the Governor certifies it is~~
15 ~~materially identical at the time he or she submits it to the~~
16 ~~Legislature.~~

17 ~~(2) The compact is not rejected by each house of the Legislature,~~
18 ~~two-thirds of the membership thereof concurring, within 30 days~~
19 ~~of the date of the submission of the compact to the Legislature by~~
20 ~~the Governor. However, if the 30-day period ends during a joint~~
21 ~~recess of the Legislature, the period shall be extended until the~~
22 ~~fifteenth day following the day on which the Legislature~~
23 ~~reconvenes.~~

24 ~~(c) The Legislature acknowledges the right of federally~~
25 ~~recognized Indian tribes to exercise their sovereignty to negotiate~~
26 ~~and enter into tribal-state gaming compacts that are materially~~
27 ~~different from the compacts ratified pursuant to subdivision (a).~~
28 ~~These compacts shall be ratified by a statute approved by each~~
29 ~~house of the Legislature, a majority of the members thereof~~
30 ~~concurring, and signed by the Governor, unless the statute contains~~
31 ~~implementing or other provisions requiring a supermajority vote,~~
32 ~~in which case the statute shall be approved in the manner required~~
33 ~~by the Constitution.~~

34 ~~(d) The Governor is the designated state officer responsible for~~
35 ~~negotiating and executing, on behalf of the state, tribal-state gaming~~
36 ~~compacts with federally recognized Indian tribes located within~~
37 ~~the State of California pursuant to the federal Indian Gaming~~
38 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
39 ~~25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class~~
40 ~~III gaming, as defined in that act, on Indian lands within this state.~~

1 Nothing in this section shall be construed to deny the existence of
2 the Governor's authority to have negotiated and executed
3 tribal-state gaming compacts prior to the effective date of this
4 section.

5 (e) Following completion of negotiations conducted pursuant
6 to subdivision (b) or (c), the Governor shall submit a copy of any
7 executed tribal-state compact to both houses of the Legislature for
8 ratification, and shall submit a copy of the executed compact to
9 the Secretary of State for purposes of subdivision (f).

10 (f) Upon receipt of a statute ratifying a tribal-state compact
11 negotiated and executed pursuant to subdivision (c), or upon the
12 expiration of the review period described in subdivision (b), the
13 Secretary of State shall forward a copy of the executed compact
14 and the ratifying statute, if applicable, to the Secretary of the
15 Interior for his or her review and approval, in accordance with
16 paragraph (8) of subsection (d) of Section 2710 of Title 25 of the
17 United States Code.

18 (g) In deference to tribal sovereignty, neither the execution of
19 a tribal-state gaming compact nor the on-reservation impacts of
20 compliance with the terms of a tribal-state gaming compact shall
21 be deemed to constitute a project for purposes of the California
22 Environmental Quality Act (Division 13 (commencing with Section
23 21000) of the Public Resources Code).

24 SEC. 3. Section 12012.30 of the Government Code is repealed.

25 12012.30. The tribal-state gaming compact entered into in
26 accordance with the Indian Gaming Regulatory Act of 1988 (18
27 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
28 between the State of California and the Torres-Martinez Desert
29 Cahuilla Indians, executed on August 12, 2003, is hereby ratified.

30 SEC. 4. Section 12012.35 of the Government Code is repealed.

31 12012.35. (a) The tribal-state gaming compact entered into in
32 accordance with the Indian Gaming Regulatory Act of 1988 (18
33 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
34 between the State of California and the La Posta Band of Diegueño
35 Mission Indians of the La Posta Indian Reservation, California,
36 executed on September 9, 2003, is hereby ratified.

37 (b) The tribal-state gaming compact entered into in accordance
38 with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs.
39 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the
40 State of California and the Santa Ysabel Band of Diegueño Mission

~~Indians of the Santa Ysabel Reservation, California, executed on September 8, 2003, is hereby ratified.~~

~~SEC. 5. Section 12012.40 of the Government Code is repealed.~~

~~12012.40. (a) The following amendments to tribal-state gaming compacts entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:~~

~~(1) The amendment of the compact between the State of California and the Pala Band of Mission Indians, executed on June 21, 2004.~~

~~(2) The amendment of the compact between the State of California and the Pauma Band of Luiseno Mission Indians of the Pauma and Yuima Reservation, executed on June 21, 2004.~~

~~(3) The amendment of the compact between the State of California and the Rumsey Band of Wintun Indians, executed on June 21, 2004.~~

~~(4) The amendment of the compact between the State of California and the United Auburn Indian Community, executed on June 21, 2004.~~

~~(5) The amendment of the compact between the State of California and the Viejas Band of Kumeyaay Indians, executed on June 21, 2004.~~

~~(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):~~

~~(A) The execution of an amendment of tribal-state gaming compact ratified by this section.~~

~~(B) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, an amended tribal-state gaming compact ratified by this section.~~

~~(C) The on-reservation impacts of compliance with the terms of an amended tribal-state gaming compact ratified by this section.~~

~~(D) The sale of compact assets as defined in subdivision (a) of Section 63048.6 or the creation of the special purpose trust established pursuant to Section 63048.65.~~

~~(2) Except as expressly provided herein, nothing in this subdivision shall be construed to exempt a city, county, or a city~~

1 and county from the requirements of the California Environmental
2 Quality Act.

3 SEC. 6. Section 12012.45 of the Government Code is repealed.

4 12012.45. (a) The following tribal-state gaming compacts and
5 amendments of tribal-state gaming compacts entered into in
6 accordance with the Indian Gaming Regulatory Act of 1988 (18
7 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
8 are hereby ratified:

9 (1) The amendment of the compact between the State of
10 California and the Buena Vista Rancheria of Me-Wuk Indians,
11 executed on August 23, 2004.

12 (2) The compact between the State of California and the Fort
13 Mojave Indian Tribe, executed on August 23, 2004.

14 (3) The compact between the State of California and the Coyote
15 Valley Band of Pomo Indians, executed on August 23, 2004.

16 (4) The amendment to the compact between the State of
17 California and the Ewiiapaayp Band of Kumeyaay Indians,
18 executed on August 23, 2004.

19 (5) The amendment to the compact between the State of
20 California and the Quechan Tribe of the Fort Yuma Indian
21 Reservation, executed on June 26, 2006.

22 (b) The terms of each compact apply only to the State of
23 California and the tribe that has signed it, and the terms of these
24 compacts do not bind any tribe that is not a signatory to any of the
25 compacts. The Legislature acknowledges the right of federally
26 recognized tribes to exercise their sovereignty to negotiate and
27 enter into compacts with the state that are materially different from
28 the compacts ratified pursuant to subdivision (a).

29 (c) (1) In deference to tribal sovereignty, none of the following
30 shall be deemed a project for purposes of the California
31 Environmental Quality Act (Division 13 (commencing with Section
32 21000) of the Public Resources Code):

33 (A) The execution of an amendment of a tribal-state gaming
34 compact ratified by this section.

35 (B) The execution of a tribal-state gaming compact ratified by
36 this section.

37 (C) The execution of an intergovernmental agreement between
38 a tribe and a county or city government negotiated pursuant to the
39 express authority of, or as expressly referenced in, a tribal-state

1 ~~gaming compact or an amended tribal-state gaming compact~~
2 ~~ratified by this section.~~

3 ~~(D) The execution of an intergovernmental agreement between~~
4 ~~a tribe and the California Department of Transportation negotiated~~
5 ~~pursuant to the express authority of, or as expressly referenced in,~~
6 ~~a tribal-state gaming compact or an amended tribal-state gaming~~
7 ~~compact ratified by this section.~~

8 ~~(E) The on-reservation impacts of compliance with the terms~~
9 ~~of a tribal-state gaming compact or an amended tribal-state gaming~~
10 ~~compact ratified by this section.~~

11 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
12 ~~Section 63048.6, or the creation of the special purpose trust~~
13 ~~established pursuant to Section 63048.65.~~

14 ~~(2) Except as expressly provided herein, nothing in this~~
15 ~~subdivision shall be construed to exempt a city, county, a city and~~
16 ~~county, or the California Department of Transportation from the~~
17 ~~requirements of the California Environmental Quality Act.~~

18 ~~(d) Revenue contributions made to the state by tribes pursuant~~
19 ~~to the tribal-state gaming compacts and amendments of tribal-state~~
20 ~~gaming compacts ratified by this section shall be deposited in the~~
21 ~~General Fund.~~

22 ~~SEC. 7. Section 12012.46 of the Government Code is repealed.~~

23 ~~12012.46. (a) The amendment to the tribal-state gaming~~
24 ~~compact entered into in accordance with the Indian Gaming~~
25 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
26 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
27 ~~the Agua Caliente Band of Cahuilla Indians, executed on August~~
28 ~~8, 2006, is hereby ratified.~~

29 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
30 ~~shall be deemed a project for purposes of the California~~
31 ~~Environmental Quality Act (Division 13 (commencing with Section~~
32 ~~21000) of the Public Resources Code):~~

33 ~~(A) The execution of an amendment to the amended tribal-state~~
34 ~~gaming compact ratified by this section.~~

35 ~~(B) The execution of the amended tribal-state gaming compact~~
36 ~~ratified by this section.~~

37 ~~(C) The execution of an intergovernmental agreement between~~
38 ~~a tribe and a county or city government negotiated pursuant to the~~
39 ~~express authority of, or as expressly referenced in, the amended~~
40 ~~tribal-state gaming compact ratified by this section.~~

1 ~~(D) The execution of an intergovernmental agreement between~~
2 ~~a tribe and the California Department of Transportation negotiated~~
3 ~~pursuant to the express authority of, or as expressly referenced in,~~
4 ~~the amended tribal-state gaming compact ratified by this section.~~

5 ~~(E) The on-reservation impacts of compliance with the terms~~
6 ~~of the amended tribal-state gaming compact ratified by this section.~~

7 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
8 ~~Section 63048.6, or the creation of the special purpose trust~~
9 ~~established pursuant to Section 63048.65.~~

10 ~~(2) Except as expressly provided herein, nothing in this~~
11 ~~subdivision shall be construed to exempt a city, county, or city~~
12 ~~and county, or the California Department of Transportation, from~~
13 ~~the requirements of the California Environmental Quality Act.~~

14 ~~(c) Revenue contributions made to the state by tribes pursuant~~
15 ~~to the amended tribal-state gaming compact ratified by this section~~
16 ~~shall be deposited in the General Fund.~~

17 SEC. 8. Section 12012.465 of the Government Code is
18 repealed.

19 ~~12012.465. The memorandum of agreement entered into~~
20 ~~between the State of California and the Agua Caliente Band of~~
21 ~~Cahuilla Indians, executed on June 27, 2007, is hereby approved.~~

22 SEC. 9. Section 12012.47 of the Government Code is repealed.

23 ~~12012.47. (a) The amendment to the tribal-state gaming~~
24 ~~compact entered into in accordance with the Indian Gaming~~
25 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
26 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
27 ~~the San Manuel Band of Mission Indians, executed on August 28,~~
28 ~~2006, is hereby ratified.~~

29 ~~(b) The terms of the amended compact ratified by this section~~
30 ~~shall apply only to the State of California and the tribe that has~~
31 ~~signed it, and shall not bind any tribe that is not a signatory to the~~
32 ~~amended compact. The Legislature acknowledges the right of~~
33 ~~federally recognized tribes to exercise their sovereignty to negotiate~~
34 ~~and enter into compacts with the state that are materially different~~
35 ~~from the amended compact ratified pursuant to subdivision (a).~~

36 ~~(c) (1) In deference to tribal sovereignty, none of the following~~
37 ~~shall be deemed a project for purposes of the California~~
38 ~~Environmental Quality Act (Division 13 (commencing with Section~~
39 ~~21000) of the Public Resources Code):~~

1 ~~(A) The execution of an amendment to the amended tribal-state~~
2 ~~gaming compact ratified by this section.~~

3 ~~(B) The execution of the amended tribal-state gaming compact~~
4 ~~ratified by this section.~~

5 ~~(C) The execution of an intergovernmental agreement between~~
6 ~~a tribe and a county or city government negotiated pursuant to the~~
7 ~~express authority of, or as expressly referenced in, the amended~~
8 ~~tribal-state gaming compact ratified by this section.~~

9 ~~(D) The execution of an intergovernmental agreement between~~
10 ~~a tribe and the California Department of Transportation negotiated~~
11 ~~pursuant to the express authority of, or as expressly referenced in,~~
12 ~~the amended tribal-state gaming compact ratified by this section.~~

13 ~~(E) The on-reservation impacts of compliance with the terms~~
14 ~~of the amended tribal-state gaming compact ratified by this section.~~

15 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
16 ~~Section 63048.6, or the creation of the special purpose trust~~
17 ~~established pursuant to Section 63048.65.~~

18 ~~(2) Except as expressly provided herein, nothing in this~~
19 ~~subdivision shall be construed to exempt a city, county, or city~~
20 ~~and county, or the California Department of Transportation, from~~
21 ~~the requirements of the California Environmental Quality Act.~~

22 ~~(d) Revenue contributions made to the state by tribes pursuant~~
23 ~~to the amended tribal-state gaming compact ratified by this section~~
24 ~~shall be deposited in the General Fund, or as otherwise provided~~
25 ~~in the amended compact.~~

26 SEC. 10. Section 12012.475 of the Government Code is
27 repealed.

28 ~~12012.475. The letter of agreement entered into between the~~
29 ~~State of California and the San Manuel Band of Mission Indians,~~
30 ~~executed on September 5, 2007, is hereby approved.~~

31 SEC. 11. Section 12012.48 of the Government Code is
32 repealed.

33 ~~12012.48. (a) The amendment to the tribal-state gaming~~
34 ~~compact entered into in accordance with the Indian Gaming~~
35 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
36 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
37 ~~the Morongo Band of Mission Indians, executed on August 29,~~
38 ~~2006, is hereby ratified.~~

39 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
40 ~~shall be deemed a project for purposes of the California~~

1 Environmental Quality Act (Division 13 (commencing with Section
2 21000) of the Public Resources Code):

3 (A) The execution of an amendment to the amended tribal-state
4 gaming compact ratified by this section.

5 (B) The execution of the amended tribal-state gaming compact
6 ratified by this section.

7 (C) The execution of an intergovernmental agreement between
8 a tribe and a county or city government negotiated pursuant to the
9 express authority of, or as expressly referenced in, the amended
10 tribal-state gaming compact ratified by this section.

11 (D) The execution of an intergovernmental agreement between
12 a tribe and the California Department of Transportation negotiated
13 pursuant to the express authority of, or as expressly referenced in,
14 the amended tribal-state gaming compact ratified by this section.

15 (E) The on-reservation impacts of compliance with the terms
16 of the amended tribal-state gaming compact ratified by this section.

17 (F) The sale of compact assets, as defined in subdivision (a) of
18 Section 63048.6, or the creation of the special purpose trust
19 established pursuant to Section 63048.65.

20 (2) Except as expressly provided herein, nothing in this
21 subdivision shall be construed to exempt a city, county, or city
22 and county, or the California Department of Transportation, from
23 the requirements of the California Environmental Quality Act.

24 (e) Revenue contributions made to the state by tribes pursuant
25 to the amended tribal-state gaming compact ratified by this section
26 shall be deposited in the General Fund.

27 SEC. 12. Section 12012.485 of the Government Code is
28 repealed.

29 12012.485. The memorandum of agreement entered into
30 between the State of California and the Morongo Band of Mission
31 Indians, executed on June 27, 2007, is hereby approved.

32 SEC. 13. Section 12012.49 of the Government Code is
33 repealed.

34 12012.49. (a) The amendment to the tribal-state gaming
35 compact entered into in accordance with the Indian Gaming
36 Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and
37 25 U.S.C. Sec. 2701 et seq.) between the State of California and
38 the Pechanga Band of Luiseño Mission Indians, executed on
39 August 28, 2006, is hereby ratified.

~~(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):~~

~~(A) The execution of an amendment to the amended tribal-state gaming compact ratified by this section.~~

~~(B) The execution of the amended tribal-state gaming compact ratified by this section.~~

~~(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the amended tribal-state gaming compact ratified by this section.~~

~~(D) The execution of an intergovernmental agreement between a tribe and the California Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the amended tribal-state gaming compact ratified by this section.~~

~~(E) The on-reservation impacts of compliance with the terms of the amended tribal-state gaming compact ratified by this section.~~

~~(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.~~

~~(2) Except as expressly provided herein, nothing in this subdivision shall be construed to exempt a city, county, or city and county, or the California Department of Transportation, from the requirements of the California Environmental Quality Act.~~

~~(c) Revenue contributions made to the state by the tribe pursuant to the amended tribal-state gaming compact ratified by this section shall be deposited in the General Fund.~~

SEC. 14. Section 12012.495 of the Government Code is repealed.

~~12012.495.—The memorandum of agreement entered into between the State of California and the Pechanga Band of Luiseño Indians, executed on June 27, 2007, is hereby approved.~~

SEC. 15. Section 12012.51 of the Government Code is repealed.

~~12012.51.—(a) The amendment to the tribal-state gaming compact entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the State of California and~~

1 the Sycuan Band of the Kumeyaay Nation, executed on August
2 30, 2006, is hereby ratified.

3 (b) The terms of the amended compact ratified by this section
4 shall apply only to the State of California and the tribe that has
5 signed it, and shall not bind any tribe that is not a signatory to the
6 amended compact. The Legislature acknowledges the right of
7 federally recognized tribes to exercise their sovereignty to negotiate
8 and enter into compacts with the state that are materially different
9 from the amended compact ratified pursuant to subdivision (a).

10 (c) (1) In deference to tribal sovereignty, none of the following
11 shall be deemed a project for purposes of the California
12 Environmental Quality Act (Division 13 (commencing with Section
13 21000) of the Public Resources Code):

14 (A) The execution of an amendment to the amended tribal-state
15 gaming compact ratified by this section.

16 (B) The execution of the amended tribal-state gaming compact
17 ratified by this section.

18 (C) The execution of an intergovernmental agreement between
19 a tribe and a county or city government negotiated pursuant to the
20 express authority of, or as expressly referenced in, the amended
21 tribal-state gaming compact ratified by this section.

22 (D) The execution of an intergovernmental agreement between
23 a tribe and the California Department of Transportation negotiated
24 pursuant to the express authority of, or as expressly referenced in,
25 the amended tribal-state gaming compact ratified by this section.

26 (E) The on-reservation impacts of compliance with the terms
27 of the amended tribal-state gaming compact ratified by this section.

28 (F) The sale of compact assets, as defined in subdivision (a) of
29 Section 63048.6, or the creation of the special purpose trust
30 established pursuant to Section 63048.65.

31 (2) Except as expressly provided herein, nothing in this
32 subdivision shall be construed to exempt a city, county, or city
33 and county, or the California Department of Transportation, from
34 the requirements of the California Environmental Quality Act.

35 (d) Revenue contributions made to the state by the tribe pursuant
36 to the amended tribal-state gaming compact ratified by this section
37 shall be deposited in the General Fund, or as otherwise provided
38 in the amended compact.

39 SEC. 16. Section 12012.515 of the Government Code is
40 repealed.

~~12012.515.—The memorandum of agreement entered into between the State of California and the Sycuan Band of the Kumeyaay Nation, executed on June 27, 2007, is hereby approved.~~

SEC. 17. Section 12012.52 of the Government Code is repealed.

~~12012.52.—(a) The tribal-state gaming compact entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the Yurok Tribe of the Yurok Reservation, executed on August 29, 2006, is hereby ratified.~~

~~(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):~~

~~(A) The execution of an amendment of the tribal-state gaming compact ratified by this section.~~

~~(B) The execution of the tribal-state gaming compact ratified by this section.~~

~~(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.~~

~~(D) The execution of an intergovernmental agreement between a tribe and the California Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.~~

~~(E) The on-reservation impacts of compliance with the terms of the tribal-state gaming compact ratified by this section.~~

~~(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.~~

~~(2) Except as expressly provided herein, nothing in this subdivision shall be construed to exempt a city, county, or city and county, or the California Department of Transportation, from the requirements of the California Environmental Quality Act.~~

~~(e) Revenue contributions made to the state by the tribe pursuant to the tribal-state gaming compact ratified by this section shall be deposited in the General Fund.~~

SEC. 18. Section 12012.53 of the Government Code is repealed.

1 ~~12012.53.—(a) The amendment to the tribal-state gaming~~
2 ~~compact entered into in accordance with the Indian Gaming~~
3 ~~Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and~~
4 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
5 ~~the Shingle Springs Band of Miwok Indians, executed on June 30,~~
6 ~~2008, is hereby ratified.~~

7 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
8 ~~shall be deemed a project for purposes of the California~~
9 ~~Environmental Quality Act (Division 13 (commencing with Section~~
10 ~~21000) of the Public Resources Code):~~

11 ~~(A) The execution of an amendment to the amended tribal-state~~
12 ~~gaming compact ratified by this section.~~

13 ~~(B) The execution of the amended tribal-state gaming compact~~
14 ~~ratified by this section.~~

15 ~~(C) The execution of an intergovernmental agreement between~~
16 ~~a tribe and a county or city government negotiated pursuant to the~~
17 ~~express authority of, or as expressly referenced in, the amended~~
18 ~~tribal-state gaming compact ratified by this section.~~

19 ~~(D) The execution of an intergovernmental agreement between~~
20 ~~a tribe and the California Department of Transportation negotiated~~
21 ~~pursuant to the express authority of, or as expressly referenced in,~~
22 ~~the amended tribal-state gaming compact ratified by this section.~~

23 ~~(E) The on-reservation impacts of compliance with the terms~~
24 ~~of the amended tribal-state gaming compact ratified by this section.~~

25 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
26 ~~Section 63048.6, or the creation of the special purpose trust~~
27 ~~established pursuant to Section 63048.65.~~

28 ~~(2) Except as expressly provided herein, nothing in this~~
29 ~~subdivision shall be construed to exempt a city, county, or city~~
30 ~~and county, or the California Department of Transportation, from~~
31 ~~the requirements of the California Environmental Quality Act.~~

32 ~~(c) Revenue contributions made to the state by the tribe pursuant~~
33 ~~to the tribal-state gaming compact ratified by this section shall be~~
34 ~~deposited in the General Fund, except as otherwise provided by~~
35 ~~the amended compact or by a statute directing that a portion of the~~
36 ~~revenue contributions be deposited in a special fund.~~

37 ~~SEC. 19. Section 12012.54 of the Government Code is~~
38 ~~repealed.~~

39 ~~12012.54.—(a) The tribal-state gaming compact entered into in~~
40 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~

U.S.C. Sees. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the ~~Habematolel Pomo~~ of Upper Lake, executed on March 17, 2011, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

(A) The execution of an amendment to the tribal-state gaming compact ratified by this section.

(B) The execution of the tribal-state gaming compact ratified by this section.

(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(D) The execution of an intergovernmental agreement between a tribe and the California Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(E) The on-reservation impacts of compliance with the terms of the tribal-state gaming compact ratified by this section.

(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.

(2) Except as expressly provided herein, nothing in this subdivision shall be construed to exempt a city, county, or city and county, or the California Department of Transportation, from the requirements of the California Environmental Quality Act.

SEC. 20. Section 12012.551 of the Government Code is repealed.

12012.551. (a) The tribal-state gaming compact entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sees. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the ~~Pinoleville Pomo~~ Nation, executed on August 8, 2011, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

1 ~~(A) The execution of an amendment to the tribal-state gaming~~
2 ~~compact ratified by this section.~~

3 ~~(B) The execution of the tribal-state gaming compact ratified~~
4 ~~by this section.~~

5 ~~(C) The execution of an intergovernmental agreement between~~
6 ~~a tribe and a county or city government negotiated pursuant to the~~
7 ~~express authority of, or as expressly referenced in, the tribal-state~~
8 ~~gaming compact ratified by this section.~~

9 ~~(D) The execution of an intergovernmental agreement between~~
10 ~~a tribe and the Department of Transportation negotiated pursuant~~
11 ~~to the express authority of, or as expressly referenced in, the~~
12 ~~tribal-state gaming compact ratified by this section.~~

13 ~~(E) The on-reservation impacts of compliance with the terms~~
14 ~~of the tribal-state gaming compact ratified by this section.~~

15 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
16 ~~Section 63048.6, or the creation of the special purpose trust~~
17 ~~established pursuant to Section 63048.65.~~

18 ~~(2) Except as expressly provided herein, nothing in this~~
19 ~~subdivision shall be construed to exempt a city, county, or city~~
20 ~~and county, or the Department of Transportation, from the~~
21 ~~requirements of the California Environmental Quality Act.~~

22 SEC. 21. Section 12012.56 of the Government Code is
23 repealed.

24 ~~12012.56. (a) The tribal-state gaming compact entered into in~~
25 ~~accordance with the federal Indian Gaming Regulatory Act of~~
26 ~~1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701~~
27 ~~et seq.) between the State of California and the Federated Indians~~
28 ~~of Graton Rancheria, executed on March 27, 2012, is hereby~~
29 ~~ratified.~~

30 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
31 ~~shall be deemed a project for purposes of the California~~
32 ~~Environmental Quality Act (Division 13 (commencing with Section~~
33 ~~21000) of the Public Resources Code):~~

34 ~~(A) The execution of an amendment to the tribal-state gaming~~
35 ~~compact ratified by this section.~~

36 ~~(B) The execution of the tribal-state gaming compact ratified~~
37 ~~by this section.~~

38 ~~(C) The execution of an intergovernmental agreement between~~
39 ~~a tribe and a county or city government negotiated pursuant to the~~

1 express authority of, or as expressly referenced in, the tribal-state
2 gaming compact ratified by this section.

3 (D) The execution of an intergovernmental agreement between
4 a tribe and the Department of Transportation negotiated pursuant
5 to the express authority of, or as expressly referenced in, the
6 tribal-state gaming compact ratified by this section.

7 (E) The on-reservation impacts of compliance with the terms
8 of the tribal-state gaming compact ratified by this section.

9 (F) The sale of compact assets, as defined in subdivision (a) of
10 Section 63048.6, or the creation of the special purpose trust
11 established pursuant to Section 63048.65.

12 (2) Except as expressly provided herein, nothing in this
13 subdivision shall be construed to exempt a city, county, or city
14 and county, or the Department of Transportation, from the
15 requirements of the California Environmental Quality Act.

16 SEC. 22. Section 12012.57 of the Government Code is
17 repealed.

18 12012.57. (a) The amendment to the tribal-state gaming
19 compact entered into in accordance with the federal Indian Gaming
20 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
21 25 U.S.C. Sec. 2701 et seq.) between the State of California and
22 the Coyote Valley Band of Pomo Indians, executed on July 25,
23 2012, is hereby ratified.

24 (b) (1) In deference to tribal sovereignty, none of the following
25 shall be deemed a project for purposes of the California
26 Environmental Quality Act (Division 13 (commencing with Section
27 21000) of the Public Resources Code):

28 (A) The execution of an amendment to the amended tribal-state
29 gaming compact ratified by this section.

30 (B) The execution of the amended tribal-state gaming compact
31 ratified by this section.

32 (C) The execution of an intergovernmental agreement between
33 a tribe and a county or city government negotiated pursuant to the
34 express authority of, or as expressly referenced in, the amended
35 tribal-state gaming compact ratified by this section.

36 (D) The execution of an intergovernmental agreement between
37 a tribe and the Department of Transportation negotiated pursuant
38 to the express authority of, or as expressly referenced in, the
39 amended tribal-state gaming compact ratified by this section.

1 ~~(E) The on-reservation impacts of compliance with the terms~~
2 ~~of the amended tribal-state gaming compact ratified by this section.~~

3 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
4 ~~Section 63048.6, or the creation of the special purpose trust~~
5 ~~established pursuant to Section 63048.65.~~

6 ~~(2) Except as expressly provided herein, nothing in this~~
7 ~~subdivision shall be construed to exempt a city, county, or city~~
8 ~~and county, or the Department of Transportation, from the~~
9 ~~requirements of the California Environmental Quality Act.~~

10 SEC. 23. Section 12012.58 of the Government Code is
11 repealed.

12 ~~12012.58. (a) The amendment to the tribal-state gaming~~
13 ~~compact entered into in accordance with the federal Indian Gaming~~
14 ~~Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and~~
15 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
16 ~~the Shingle Springs Band of Miwok Indians, executed on~~
17 ~~November 15, 2012, is hereby ratified.~~

18 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
19 ~~shall be deemed a project for purposes of the California~~
20 ~~Environmental Quality Act (Division 13 (commencing with Section~~
21 ~~21000) of the Public Resources Code):~~

22 ~~(A) The execution of an amendment to the amended tribal-state~~
23 ~~gaming compact ratified by this section.~~

24 ~~(B) The execution of the amended tribal-state gaming compact~~
25 ~~ratified by this section.~~

26 ~~(C) The execution of an intergovernmental agreement between~~
27 ~~a tribe and a county or city government negotiated pursuant to the~~
28 ~~express authority of, or as expressly referenced in, the amended~~
29 ~~tribal-state gaming compact ratified by this section.~~

30 ~~(D) The execution of an intergovernmental agreement between~~
31 ~~a tribe and the Department of Transportation negotiated pursuant~~
32 ~~to the express authority of, or as expressly referenced in, the~~
33 ~~amended tribal-state gaming compact ratified by this section.~~

34 ~~(E) The on-reservation impacts of compliance with the terms~~
35 ~~of the amended tribal-state gaming compact ratified by this section.~~

36 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
37 ~~Section 63048.6, or the creation of the special purpose trust~~
38 ~~established pursuant to Section 63048.65.~~

39 ~~(2) Except as expressly provided in this paragraph, this~~
40 ~~subdivision does not exempt a city, county, or city and county, or~~

1 the Department of Transportation, from the requirements of the
2 California Environmental Quality Act.

3 SEC. 24. Section 12012.585 of the Government Code is
4 repealed.

5 ~~12012.585. (a) The Shingle Springs Band of Miwok Indians~~
6 ~~Trust Fund is hereby created in the State Treasury as a special~~
7 ~~purpose trust fund for the receipt and deposit of revenue payments~~
8 ~~received by the state from the Shingle Springs Band of Miwok~~
9 ~~Indians pursuant to the terms of the amended tribal-state gaming~~
10 ~~compact ratified pursuant to Section 12012.58 and any trust fund~~
11 ~~agreement executed by the state and the tribe pursuant to that~~
12 ~~tribal-state gaming compact. The trust fund shall be administered~~
13 ~~by the California Gambling Control Commission.~~

14 ~~(b) Notwithstanding Section 13340, there is continuously~~
15 ~~appropriated without regard to fiscal years, from the trust fund to~~
16 ~~the California Gambling Control Commission, the amount~~
17 ~~necessary for the specific purposes enumerated in the tribal-state~~
18 ~~gaming compact ratified pursuant to Section 12012.58 and any~~
19 ~~trust fund agreement executed by the state and the tribe pursuant~~
20 ~~to that tribal-state gaming compact, including, but not limited to,~~
21 ~~both of the following purposes:~~

22 ~~(1) Governmental operations of the tribe, including, but not~~
23 ~~limited to, tribal administration, distributions, health care,~~
24 ~~education, and economic development.~~

25 ~~(2) Reduction of the tribe's existing debt related to its gaming~~
26 ~~facility, including, but not limited to, the payment of reasonable~~
27 ~~costs paid by the tribe or gaming operation in connection with~~
28 ~~refinancing or restructuring its debt load and any related litigation~~
29 ~~or administrative proceedings, including attorney's fees.~~

30 ~~(c) Funds expended from the trust fund shall be used exclusively~~
31 ~~for the purposes enumerated in the amended tribal-state gaming~~
32 ~~compact ratified pursuant to Section 12012.58 and any trust fund~~
33 ~~agreement executed by the state and the tribe pursuant to that~~
34 ~~tribal-state gaming compact.~~

35 ~~(d) Funds deposited into the trust fund shall accrue interest at~~
36 ~~the rate earned by moneys invested in the Pooled Money~~
37 ~~Investment Account from the date of deposit until appropriated~~
38 ~~pursuant to subdivision (b).~~

39 ~~(e) The trust fund shall terminate on January 1, 2016, or a later~~
40 ~~date if agreed to by the parties by written agreement. The state and~~

1 the tribe may terminate the trust fund by written agreement at any
2 earlier date if the parties determine that it has served its intended
3 purpose.

4 (f) ~~Any funds remaining in the trust fund at the time it is~~
5 ~~terminated shall revert to the tribe.~~

6 (g) ~~The California Gambling Control Commission has no duties,~~
7 ~~responsibilities, or obligations related to the trust fund other than~~
8 ~~those expressly set forth in the amended tribal-state gaming~~
9 ~~compact ratified pursuant to Section 12012.58 and any trust fund~~
10 ~~agreement executed by the state and the tribe pursuant to that~~
11 ~~tribal-state gaming compact. Consistent with its duties pursuant~~
12 ~~to the Indian Gaming Revenue Sharing Trust Fund or any other~~
13 ~~similar fund, the California Gambling Control Commission is not~~
14 ~~a trustee subject to the duties and liabilities contained in the Probate~~
15 ~~Code, similar federal or state statutes, rules, or regulations, or~~
16 ~~under federal or state common law or equitable principles.~~

17 SEC. 25. Section 12012.60 of the Government Code is
18 repealed.

19 ~~12012.60. (a) The tribal-state gaming compact entered into in~~
20 ~~accordance with the federal Indian Gaming Regulatory Act of~~
21 ~~1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.~~
22 ~~2701 et seq.) between the State of California and the Fort~~
23 ~~Independence Indian Community of Paiute Indians, executed~~
24 ~~February 28, 2013, is hereby ratified.~~

25 (b) ~~(1) In deference to tribal sovereignty, none of the following~~
26 ~~shall be deemed a project for purposes of the California~~
27 ~~Environmental Quality Act (Division 13 (commencing with Section~~
28 ~~21000) of the Public Resources Code):~~

29 (A) ~~The execution of an amendment to the tribal-state gaming~~
30 ~~compact ratified by this section.~~

31 (B) ~~The execution of the tribal-state gaming compact ratified~~
32 ~~by this section.~~

33 (C) ~~The execution of an intergovernmental agreement between~~
34 ~~a tribe and a county or city government negotiated pursuant to the~~
35 ~~express authority of, or as expressly referenced in, the tribal-state~~
36 ~~gaming compact ratified by this section.~~

37 (D) ~~The execution of an intergovernmental agreement between~~
38 ~~a tribe and the Department of Transportation negotiated pursuant~~
39 ~~to the express authority of, or as expressly referenced in, the~~
40 ~~tribal-state gaming compact ratified by this section.~~

1 ~~(E) The on-reservation impacts of compliance with the terms~~
2 ~~of the tribal-state gaming compact ratified by this section.~~

3 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
4 ~~Section 63048.6, or the creation of the special purpose trust~~
5 ~~established pursuant to Section 63048.65.~~

6 ~~(2) Except as expressly provided herein, this subdivision does~~
7 ~~not exempt a city, county, or city and county, or the Department~~
8 ~~of Transportation, from the requirements of the California~~
9 ~~Environmental Quality Act.~~

10 SEC. 26. Section 12012.61 of the Government Code is
11 repealed.

12 ~~12012.61. (a) The tribal-state gaming compact entered into in~~
13 ~~accordance with the federal Indian Gaming Regulatory Act of~~
14 ~~1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.~~
15 ~~2701 et seq.) between the State of California and the Ramona Band~~
16 ~~of Cahuilla, executed on June 10, 2013, is hereby ratified.~~

17 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
18 ~~shall be deemed a project for purposes of the California~~
19 ~~Environmental Quality Act (Division 13 (commencing with Section~~
20 ~~21000) of the Public Resources Code):~~

21 ~~(A) The execution of an amendment to the tribal-state gaming~~
22 ~~compact ratified by this section.~~

23 ~~(B) The execution of the tribal-state gaming compact ratified~~
24 ~~by this section.~~

25 ~~(C) The execution of an intergovernmental agreement between~~
26 ~~a tribe and a county or city government negotiated pursuant to the~~
27 ~~express authority of, or as expressly referenced in, the tribal-state~~
28 ~~gaming compact ratified by this section.~~

29 ~~(D) The execution of an intergovernmental agreement between~~
30 ~~a tribe and the Department of Transportation negotiated pursuant~~
31 ~~to the express authority of, or as expressly referenced in, the~~
32 ~~tribal-state gaming compact ratified by this section.~~

33 ~~(E) The on-reservation impacts of compliance with the terms~~
34 ~~of the tribal-state gaming compact ratified by this section.~~

35 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
36 ~~Section 63048.6, or the creation of the special purpose trust~~
37 ~~established pursuant to Section 63048.65.~~

38 ~~(2) Except as expressly provided herein, this subdivision does~~
39 ~~not exempt a city, county, or city and county, or the Department~~

1 of Transportation, from the requirements of the California
2 Environmental Quality Act.

3 SEC. 27. Section 12012.62 of the Government Code is
4 repealed.

5 12012.62. (a) The tribal-state gaming compact entered into in
6 accordance with the federal Indian Gaming Regulatory Act of
7 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
8 2701 et seq.) between the State of California and the Karuk Tribe,
9 executed on December 4, 2013, is hereby ratified.

10 (b) (1) In deference to tribal sovereignty, none of the following
11 shall be deemed a project for purposes of the California
12 Environmental Quality Act (Division 13 (commencing with Section
13 21000) of the Public Resources Code):

14 (A) The execution of an amendment to the tribal-state gaming
15 compact ratified by this section.

16 (B) The execution of the tribal-state gaming compact ratified
17 by this section.

18 (C) The execution of an intergovernmental agreement between
19 a tribe and a county or city government negotiated pursuant to the
20 express authority of, or as expressly referenced in, the tribal-state
21 gaming compact ratified by this section.

22 (D) The execution of an intergovernmental agreement between
23 a tribe and the Department of Transportation negotiated pursuant
24 to the express authority of, or as expressly referenced in, the
25 tribal-state gaming compact ratified by this section.

26 (E) The on-reservation impacts of compliance with the terms
27 of the tribal-state gaming compact ratified by this section.

28 (F) The sale of compact assets, as defined in subdivision (a) of
29 Section 63048.6, or the creation of the special purpose trust
30 established pursuant to Section 63048.65.

31 (2) Except as expressly provided herein, this subdivision does
32 not exempt a city, county, or city and county, or the Department
33 of Transportation, from the requirements of the California
34 Environmental Quality Act.

35 SEC. 28. Section 12012.64 of the Government Code is
36 repealed.

37 12012.64. (a) The amendment to the tribal-state gaming
38 compact entered into in accordance with the federal Indian Gaming
39 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive,
40 and 25 U.S.C. Sec. 2701 et seq.) between the State of California

1 and the Viejas Band of Kumeyaay Indians, executed on August
2 12, 2014, is hereby ratified.

3 (b) (1) In deference to tribal sovereignty, none of the following
4 shall be deemed a project for purposes of the California
5 Environmental Quality Act (Division 13 (commencing with Section
6 21000) of the Public Resources Code):

7 (A) The execution of an amendment to the tribal-state gaming
8 compact ratified by this section.

9 (B) The execution of the amended tribal-state gaming compact
10 ratified by this section.

11 (C) The execution of an intergovernmental agreement between
12 a tribe and a county or city government negotiated pursuant to the
13 express authority of, or as expressly referenced in, the amended
14 tribal-state gaming compact ratified by this section.

15 (D) The execution of an intergovernmental agreement between
16 a tribe and the Department of Transportation negotiated pursuant
17 to the express authority of, or as expressly referenced in, the
18 amended tribal-state gaming compact ratified by this section.

19 (E) The on-reservation impacts of compliance with the terms
20 of the amended tribal-state gaming compact ratified by this section.

21 (F) The sale of compact assets, as defined in subdivision (a) of
22 Section 63048.6, or the creation of the special purpose trust
23 established pursuant to Section 63048.65.

24 (2) Except as expressly provided in this section, this subdivision
25 does not exempt a city, county, or city and county, or the
26 Department of Transportation, from the requirements of the
27 California Environmental Quality Act.

28 SEC. 29. Section 12012.66 of the Government Code is
29 repealed.

30 12012.66. (a) The tribal-state gaming compact entered into in
31 accordance with the federal Indian Gaming Regulatory Act of
32 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
33 2701 et seq.) between the State of California and the Jackson
34 Rancheria Band of Miwuk Indians, executed on February 1, 2015,
35 is hereby ratified.

36 (b) (1) In deference to tribal sovereignty, none of the following
37 shall be deemed a project for purposes of the California
38 Environmental Quality Act (Division 13 (commencing with Section
39 21000) of the Public Resources Code):

1 ~~(A) The execution of an amendment to the tribal-state gaming~~
2 ~~compact ratified by this section.~~

3 ~~(B) The execution of the tribal-state gaming compact ratified~~
4 ~~by this section.~~

5 ~~(C) The execution of an intergovernmental agreement between~~
6 ~~a tribe and a county or city government negotiated pursuant to the~~
7 ~~express authority of, or as expressly referenced in, the tribal-state~~
8 ~~gaming compact ratified by this section.~~

9 ~~(D) The execution of an intergovernmental agreement between~~
10 ~~a tribe and the Department of Transportation negotiated pursuant~~
11 ~~to the express authority of, or as expressly referenced in, the~~
12 ~~tribal-state gaming compact ratified by this section.~~

13 ~~(E) The on-reservation impacts of compliance with the terms~~
14 ~~of the tribal-state gaming compact ratified by this section.~~

15 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
16 ~~Section 63048.6, or the creation of the special purpose trust~~
17 ~~established pursuant to Section 63048.65.~~

18 ~~(2) Except as expressly provided herein, this subdivision does~~
19 ~~not exempt a city, county, or city and county, or the Department~~
20 ~~of Transportation, from the requirements of the California~~
21 ~~Environmental Quality Act.~~

22 SEC. 30. Section 12012.67 of the Government Code is
23 repealed.

24 ~~12012.67. (a) The tribal-state gaming compact entered into in~~
25 ~~accordance with the federal Indian Gaming Regulatory Act of~~
26 ~~1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.~~
27 ~~2701 et seq.) between the State of California and the Santa Ynez~~
28 ~~Band of Mission Indians, executed on August 26, 2015, is hereby~~
29 ~~ratified.~~

30 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
31 ~~shall be deemed a project for purposes of the California~~
32 ~~Environmental Quality Act (Division 13 (commencing with Section~~
33 ~~21000) of the Public Resources Code):~~

34 ~~(A) The execution of an amendment to the tribal-state gaming~~
35 ~~compact ratified by this section.~~

36 ~~(B) The execution of the tribal-state gaming compact ratified~~
37 ~~by this section.~~

38 ~~(C) The execution of an intergovernmental agreement between~~
39 ~~a tribe and a county or city government negotiated pursuant to the~~

1 express authority of, or as expressly referenced in, the tribal-state
2 gaming compact ratified by this section.

3 (D) The execution of an intergovernmental agreement between
4 a tribe and the Department of Transportation negotiated pursuant
5 to the express authority of, or as expressly referenced in, the
6 tribal-state gaming compact ratified by this section.

7 (E) The on-reservation impacts of compliance with the terms
8 of the tribal-state gaming compact ratified by this section.

9 (F) The sale of compact assets, as defined in subdivision (a) of
10 Section 63048.6, or the creation of the special purpose trust
11 established pursuant to Section 63048.65.

12 (2) Except as expressly provided herein, this subdivision does
13 not exempt a city, county, or city and county, or the Department
14 of Transportation, from the requirements of the California
15 Environmental Quality Act.

16 SEC. 31. Section 12012.68 of the Government Code is
17 repealed.

18 12012.68. (a) The tribal-state gaming compact entered into in
19 accordance with the federal Indian Gaming Regulatory Act of
20 1988 (18 U.S.C. Sec. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
21 2701 et seq.) between the State of California and the United Auburn
22 Indian Community, executed on August 14, 2015, is hereby
23 ratified.

24 (b) (1) In deference to tribal sovereignty, none of the following
25 shall be deemed a project for purposes of the California
26 Environmental Quality Act (Division 13 (commencing with Section
27 21000) of the Public Resources Code):

28 (A) The execution of an amendment to the tribal-state gaming
29 compact ratified by this section.

30 (B) The execution of the tribal-state gaming compact ratified
31 by this section.

32 (C) The execution of an intergovernmental agreement between
33 a tribe and a county or city government negotiated pursuant to the
34 express authority of, or as expressly referenced in, the tribal-state
35 gaming compact ratified by this section.

36 (D) The execution of an intergovernmental agreement between
37 a tribe and the Department of Transportation negotiated pursuant
38 to the express authority of, or as expressly referenced in, the
39 tribal-state gaming compact ratified by this section.

1 ~~(E) The on-reservation impacts of compliance with the terms~~
2 ~~of the tribal-state gaming compact ratified by this section.~~

3 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
4 ~~Section 63048.6, or the creation of the special purpose trust~~
5 ~~established pursuant to Section 63048.65.~~

6 ~~(2) Except as expressly provided herein, this subdivision does~~
7 ~~not exempt a city, county, or city and county, or the Department~~
8 ~~of Transportation, from the requirements of the California~~
9 ~~Environmental Quality Act.~~

10 SEC. 32. Section 12012.69 of the Government Code is
11 repealed.

12 ~~12012.69. (a) The tribal-state gaming compact entered into in~~
13 ~~accordance with the federal Indian Gaming Regulatory Act of~~
14 ~~1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.~~
15 ~~2701 et seq.) between the State of California and the Sycuan Band~~
16 ~~of the Kumeyaay Nation, executed on September 2, 2015, is hereby~~
17 ~~ratified.~~

18 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
19 ~~shall be deemed a project for purposes of the California~~
20 ~~Environmental Quality Act (Division 13 (commencing with Section~~
21 ~~21000) of the Public Resources Code):~~

22 ~~(A) The execution of an amendment to the tribal-state gaming~~
23 ~~compact ratified by this section.~~

24 ~~(B) The execution of the tribal-state gaming compact ratified~~
25 ~~by this section.~~

26 ~~(C) The execution of an intergovernmental agreement between~~
27 ~~a tribe and a county or city government negotiated pursuant to the~~
28 ~~express authority of, or as expressly referenced in, the tribal-state~~
29 ~~gaming compact ratified by this section.~~

30 ~~(D) The execution of an intergovernmental agreement between~~
31 ~~a tribe and the Department of Transportation negotiated pursuant~~
32 ~~to the express authority of, or as expressly referenced in, the~~
33 ~~tribal-state gaming compact ratified by this section.~~

34 ~~(E) The on-reservation impacts of compliance with the terms~~
35 ~~of the tribal-state gaming compact ratified by this section.~~

36 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
37 ~~Section 63048.6, or the creation of the special purpose trust~~
38 ~~established pursuant to Section 63048.65.~~

39 ~~(2) Except as expressly provided herein, this subdivision does~~
40 ~~not exempt a city, county, or city and county, or the Department~~

1 of Transportation, from the requirements of the California
2 Environmental Quality Act.

3 SEC. 33. Section 12012.75 of the Government Code is
4 repealed.

5 12012.75. There is hereby created in the State Treasury a
6 special fund called the “Indian Gaming Revenue Sharing Trust
7 Fund” for the receipt and deposit of moneys derived from gaming
8 device license fees that are paid into the fund pursuant to the terms
9 of tribal-state gaming compacts for the purpose of making
10 distributions to noncompact tribes. Moneys in the Indian Gaming
11 Revenue Sharing Trust Fund shall be available to the California
12 Gambling Control Commission, upon appropriation by the
13 Legislature, for the purpose of making distributions to noncompact
14 tribes, in accordance with distribution plans specified in tribal-state
15 gaming compacts.

16 SEC. 34. Section 12012.85 of the Government Code is
17 repealed.

18 12012.85. There is hereby created in the State Treasury a fund
19 called the “Indian Gaming Special Distribution Fund” for the
20 receipt and deposit of moneys received by the state from Indian
21 tribes pursuant to the terms of tribal-state gaming compacts. These
22 moneys shall be available for appropriation by the Legislature for
23 the following purposes:

24 (a) Grants, including any administrative costs, for programs
25 designed to address gambling addiction.

26 (b) Grants, including any administrative costs, for the support
27 of state and local government agencies impacted by tribal
28 government gaming.

29 (c) Compensation for regulatory costs incurred by the State
30 Gaming Agency and the Department of Justice in connection with
31 the implementation and administration of tribal-state gaming
32 compacts.

33 (d) Payment of shortfalls that may occur in the Indian Gaming
34 Revenue Sharing Trust Fund. This shall be the priority use of
35 moneys in the Indian Gaming Special Distribution Fund.

36 (e) Disbursements for the purpose of implementing the terms
37 of tribal labor relations ordinances promulgated in accordance with
38 the terms of tribal-state gaming compacts ratified pursuant to
39 Chapter 874 of the Statutes of 1999. No more than 10 percent of
40 the funds appropriated in the Budget Act of 2000 for

1 ~~implementation of tribal labor relations ordinances promulgated~~
2 ~~in accordance with those compacts shall be expended in the~~
3 ~~selection of the Tribal Labor Panel. The Department of Human~~
4 ~~Resources shall consult with and seek input from the parties prior~~
5 ~~to any expenditure for purposes of selecting the Tribal Labor Panel.~~
6 ~~Other than the cost of selecting the Tribal Labor Panel, there shall~~
7 ~~be no further disbursements until the Tribal Labor Panel, which~~
8 ~~is selected by mutual agreement of the parties, is in place.~~

9 ~~(f) Any other purpose specified by law.~~

10 ~~(g) Priority for funding from the Indian Gaming Special~~
11 ~~Distribution Fund is in the following descending order:~~

12 ~~(1) An appropriation to the Indian Gaming Revenue Sharing~~
13 ~~Trust Fund in an aggregate amount sufficient to make payments~~
14 ~~of any shortfalls that may occur in the Indian Gaming Revenue~~
15 ~~Sharing Trust Fund.~~

16 ~~(2) An appropriation to the Office of Problem and Pathological~~
17 ~~Gambling within the State Department of Alcohol and Drug~~
18 ~~Programs for problem gambling prevention programs.~~

19 ~~(3) The amount appropriated in the annual Budget Act for~~
20 ~~allocation between the Department of Justice and the California~~
21 ~~Gambling Control Commission for regulatory functions that~~
22 ~~directly relates to Indian gaming.~~

23 ~~(4) An appropriation for the support of local government~~
24 ~~agencies impacted by tribal gaming.~~

25 SEC. 35. Section 12012.90 of the Government Code is
26 repealed.

27 ~~12012.90. (a) (1) For each fiscal year commencing with the~~
28 ~~2002-03 fiscal year to the 2004-05 fiscal year, inclusive, the~~
29 ~~California Gambling Control Commission shall determine the~~
30 ~~aggregate amount of shortfalls in payments that occurred in the~~
31 ~~Indian Gaming Revenue Sharing Trust Fund pursuant to Section~~
32 ~~4.3.2.1 of the tribal-state gaming compacts ratified and in effect~~
33 ~~as provided in subdivision (f) of Section 19 of Article IV of the~~
34 ~~California Constitution as determined below:~~

35 ~~(A) For each eligible recipient Indian tribe that received money~~
36 ~~for all four quarters of the fiscal year, the difference between one~~
37 ~~million one hundred thousand dollars (\$1,100,000) and the actual~~
38 ~~amount paid to each eligible recipient Indian tribe during the fiscal~~
39 ~~year from the Indian Gaming Revenue Sharing Trust Fund.~~

~~(B) For each eligible recipient Indian tribe that received moneys for less than four quarters of the fiscal year, the difference between two hundred seventy-five thousand dollars (\$275,000) for each quarter in the fiscal year that a recipient Indian tribe was eligible to receive moneys and the actual amount paid to each eligible recipient Indian tribe during the fiscal year from the Indian Gaming Revenue Sharing Trust Fund.~~

~~(2) For purposes of this section, “eligible recipient Indian tribe” means a noncompact tribe, as defined in Section 4.3.2(a)(i) of the tribal-state gaming compacts ratified and in effect as provided in subdivision (f) of Section 19 of Article IV of the California Constitution.~~

~~(b) The California Gambling Control Commission shall provide to the committee in the Senate and Assembly that considers the State Budget an estimate of the amount needed to backfill the Indian Gaming Revenue Sharing Trust Fund on or before the date of the May budget revision for each fiscal year.~~

~~(c) An eligible recipient Indian tribe may not receive an amount from the backfill appropriated following the estimate made pursuant to subdivision (b) that would give the eligible recipient Indian tribe an aggregate amount in excess of two hundred seventy-five thousand dollars (\$275,000) per eligible quarter. Any funds transferred from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund that result in a surplus shall revert back to the Indian Gaming Special Distribution Fund following the authorization of the final payment of the fiscal year.~~

~~(d) Upon a transfer of moneys from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund and appropriation from the trust fund, the California Gambling Control Commission shall distribute the moneys without delay to eligible recipient Indian tribes for each quarter that a tribe was eligible to receive a distribution during the fiscal year immediately preceding.~~

~~(e) For each fiscal year commencing with the 2005–06 fiscal year, all of the following shall apply and subdivisions (b) to (d), inclusive, shall not apply:~~

~~(1) On or before the day of the May budget revision for each fiscal year, the California Gambling Control Commission shall determine the anticipated total amount of shortfalls in payment~~

likely to occur in the Indian Gaming Revenue Sharing Trust Fund for the upcoming fiscal year, and shall provide to the committee in the Senate and Assembly that considers the State Budget an estimate of the amount needed to transfer from the Indian Gaming Special Distribution Fund to backfill the Indian Gaming Revenue Sharing Trust Fund for the next fiscal year. The anticipated total amount of shortfalls to be transferred from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund shall be determined by the California Gambling Control Commission as follows:

(A) The anticipated number of eligible recipient tribes that will be eligible to receive payments for the next fiscal year, multiplied by one million one hundred thousand dollars (\$1,100,000), with that product reduced by the amount anticipated to be paid by the tribes directly into the Indian Gaming Revenue Sharing Trust Fund for the fiscal year.

(B) This amount shall be based upon actual payments received into the Indian Gaming Revenue Sharing Trust Fund the previous fiscal year, with adjustments made due to amendments to existing tribal-state compacts or newly executed tribal-state compacts with respect to payments to be made to the Indian Gaming Revenue Sharing Trust Fund.

(2) The Legislature shall transfer from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund an amount sufficient for each eligible recipient tribe to receive a total not to exceed two hundred seventy-five thousand dollars (\$275,000) for each quarter in the upcoming fiscal year an eligible recipient tribe is eligible to receive moneys, for a total not to exceed one million one hundred thousand dollars (\$1,100,000) for the entire fiscal year. The California Gambling Control Commission shall make quarterly payments from the Indian Gaming Revenue Sharing Trust Fund to each eligible recipient Indian tribe within 45 days of the end of each fiscal quarter.

(3) If the transfer of funds from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund results in a surplus, the funds shall remain in the Indian Gaming Revenue Sharing Trust Fund for disbursement in future years, and if necessary, adjustments shall be made to future distributions from the Indian Gaming Special Distribution Fund to the Revenue Sharing Trust Fund.

~~(4) In the event the amount appropriated for the fiscal year is insufficient to ensure each eligible recipient tribe receives the total of two hundred seventy-five thousand dollars (\$275,000) for each fiscal quarter, the Department of Finance, after consultation with the California Gambling Control Commission, shall submit to the Legislature a request for a budget augmentation for the current fiscal year with an explanation as to the reason why the amount appropriated for the fiscal year was insufficient.~~

~~(5) At the end of each fiscal quarter, the California Gambling Control Commission's Indian Gaming Revenue Sharing Trust Fund report shall include information that identifies each of the eligible recipient tribes eligible to receive a distribution for that fiscal quarter, the amount paid into the Indian Gaming Revenue Sharing Trust Fund by each of the tribes pursuant to the applicable sections of the tribal-state compact, and the amount necessary to backfill from the Indian Gaming Special Distribution Fund the shortfall in the Indian Gaming Revenue Sharing Trust Fund in order for each eligible recipient tribe to receive the total of two hundred seventy-five thousand dollars (\$275,000) for the fiscal quarter.~~

SEC. 36. Section 12012.95 of the Government Code is repealed.

~~12012.95. (a) There is hereby created in the State Treasury the Tribal Nation Grant Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of tribal-state gaming compacts.~~

~~(b) The Tribal Nation Grant Fund shall be administered by the California Gambling Control Commission. Moneys in the fund shall be available, upon appropriation by the Legislature, for the discretionary distribution of funds to nongaming tribes and limited gaming tribes upon application of those tribes for purposes related to effective self-governance, self-determined community, and economic development.~~

SEC. 37. Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of the Government Code is repealed.

SEC. 38. Title 16.5 (commencing with Section 98020) is added to the Government Code, to read:

TITLE 16.5. TRIBAL GAMING

CHAPTER 1. COMPACT RATIFICATION

98020. (a) The following tribal-state compacts entered in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:

(1) The compact between the State of California and the Barona Band of Mission Indians, executed on August 12, 1998.

(2) The compact between the State of California and the Big Sandy Rancheria of Mono Indians, executed on July 20, 1998.

(3) The compact between the State of California and the Cher-Ae Heights Indian Community of Trinidad Rancheria, executed on July 13, 1998.

(4) The compact between the State of California and the Jackson Rancheria Band of Miwuk Indians, executed on July 13, 1998.

(5) The compact between the State of California and the Mooretown Rancheria of Concow/Maidu Indians, executed on July 13, 1998.

(6) The compact between the State of California and the Pala Band of Mission Indians, as approved by the Secretary of the Interior on April 25, 1998.

(7) The compact between the State of California and the Redding Rancheria, executed on August 11, 1998.

(8) The compact between the State of California and the Rumsey Indian Rancheria of Wintun Indians of California, executed on July 13, 1998.

(9) The compact between the State of California and the Sycuan Band of Mission Indians, executed on August 12, 1998.

(10) The compact between the State of California and the Table Mountain Rancheria, executed on July 13, 1998.

(11) The compact between the State of California and the Viejas Band of Kumeyaay Indians, executed on or about August 17, 1998.

The terms of each compact apply only to the State of California and the tribe that has signed it, and the terms of these compacts do not bind any tribe that is not a signatory to any of the compacts.

(b) Any other compact entered into between the State of California and any other federally recognized Indian tribe which is executed after August 24, 1998, is hereby ratified if (1) the

compact is identical in all material respects to any of the compacts ratified pursuant to subdivision (a), and (2) the compact is not rejected by each house of the Legislature, two-thirds of the membership thereof concurring, within 30 days of the date of the submission of the compact to the Legislature by the Governor. However, if the 30-day period ends during a joint recess of the Legislature, the period shall be extended until the fifteenth day following the day on which the Legislature reconvenes. A compact will be deemed to be materially identical to a compact ratified pursuant to subdivision (a) if the Governor certifies that it is materially identical at the time he or she submits it to the Legislature.

(c) The Legislature acknowledges the right of federally recognized tribes to exercise their sovereignty to negotiate and enter into compacts with the state that are materially different from the compacts ratified pursuant to subdivision (a). These compacts shall be ratified upon approval of each house of the Legislature, a majority of the membership thereof concurring.

(d) The Governor is the designated state officer responsible for negotiating and executing, on behalf of the state, tribal-state gaming compacts with federally recognized Indian tribes in the State of California pursuant to the federal Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class III gaming, as defined in that act, on Indian lands. This section does not deny the existence of the Governor's authority to have negotiated and executed tribal-state compacts prior to March 8, 2000.

(e) The Governor is authorized to waive the state's immunity to suit in federal court in connection with any compact negotiated with an Indian tribe or any action brought by an Indian tribe under the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.).

(f) In deference to tribal sovereignty, the execution of, and compliance with the terms of, any compact specified under subdivision (a) or (b) does not constitute a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(g) This section does not authorize the unilateral imposition of a statewide limit on the number of lottery devices or of any allocation system for lottery devices on any Indian tribe that has

1 not entered into a compact that provides for such a limit or
2 allocation system. Each tribe may negotiate separately with the
3 state over these matters on a government-to-government basis.

4 98021. (a) The following tribal-state gaming compacts entered
5 into in accordance with the Indian Gaming Regulatory Act of 1988
6 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et
7 seq.) are hereby ratified:

8 (1) The compact between the State of California and the Alturas
9 Rancheria, executed on September 10, 1999.

10 (2) The compact between the State of California and the Barona
11 Band of Mission Indians, executed on September 10, 1999.

12 (3) The compact between the State of California and the Big
13 Sandy Rancheria Band of Mono Indians, executed on September
14 10, 1999.

15 (4) The compact between the State of California and the Big
16 Valley Rancheria, executed on September 10, 1999.

17 (5) The compact between the State of California and the Bishop
18 Paiute Tribe, executed on September 10, 1999.

19 (6) The compact between the State of California and the Blue
20 Lake Rancheria, executed on September 10, 1999.

21 (7) The compact between the State of California and the Buena
22 Vista Band of Me-wuk Indians, executed on September 10, 1999.

23 (8) The compact between the State of California and the
24 Cabazon Band of Mission Indians, executed on September 10,
25 1999.

26 (9) The compact between the State of California and the Cahto
27 Tribe of Laytonville, executed on September 10, 1999.

28 (10) The compact between the State of California and the
29 Cahuilla Band of Mission Indians, executed on September 10,
30 1999.

31 (11) The compact between the State of California and the Campo
32 Band of Mission Indians, executed on September 10, 1999.

33 (12) The compact between the State of California and the
34 Chemehuevi Indian Tribe, executed on September 10, 1999.

35 (13) The compact between the State of California and the
36 Chicken Ranch Rancheria, executed on September 10, 1999.

37 (14) The compact between the State of California and the Coast
38 Indian Community of the Resighini Rancheria, executed on
39 September 10, 1999.

- 1 (15) The compact between the State of California and the Colusa
2 Indian Community, executed on September 10, 1999.
- 3 (16) The compact between the State of California and the Dry
4 Creek Rancheria Band of Pomo Indians, executed on September
5 10, 1999.
- 6 (17) The compact between the State of California and the Elk
7 Valley Rancheria, executed on September 10, 1999.
- 8 (18) The compact between the State of California and the
9 Ewiiapaayp Band of Kumeyaay, executed on September 10, 1999.
- 10 (19) The compact between the State of California and the Hoopa
11 Valley Tribe, executed on September 10, 1999.
- 12 (20) The compact between the State of California and the
13 Hopland Band of Pomo Indians, executed on September 10, 1999.
- 14 (21) The compact between the State of California and the
15 Jackson Band of Mi-Wuk Indians, executed on September 10,
16 1999.
- 17 (22) The compact between the State of California and the Jamul
18 Indian Reservation, executed on September 10, 1999.
- 19 (23) The compact between the State of California and the La
20 Jolla Indian Reservation, executed on September 10, 1999.
- 21 (24) The compact between the State of California and the
22 Manzanita Tribe of Kumeyaay Indians, executed on September
23 10, 1999.
- 24 (25) The compact between the State of California and the Mesa
25 Grande Band of Mission Indians, executed on September 10, 1999.
- 26 (26) The compact between the State of California and the
27 Middletown Rancheria Band of Pomo Indians, executed on
28 September 10, 1999.
- 29 (27) The compact between the State of California and the
30 Morongo Band of Mission Indians, executed on September 10,
31 1999.
- 32 (28) The compact between the State of California and the
33 Mooretown Rancheria Concow Maidu Tribe, executed on
34 September 10, 1999.
- 35 (29) The compact between the State of California and the Pala
36 Band of Mission Indians, executed on September 10, 1999.
- 37 (30) The compact between the State of California and the
38 Paskenta Band of Nomlaki Indians, executed on September 10,
39 1999.

1 (31) The compact between the State of California and the
2 Pechanga Band of Luiseno Indians, executed on September 10,
3 1999.

4 (32) The compact between the State of California and the
5 Picayune Rancheria of Chukchansi Indians, executed on September
6 10, 1999.

7 (33) The compact between the State of California and the
8 Quechan Nation, executed on September 10, 1999.

9 (34) The compact between the State of California and the
10 Redding Rancheria, executed on September 10, 1999.

11 (35) The compact between the State of California and the
12 Rincon, San Luiseno Band of Mission Indians, executed on
13 September 10, 1999.

14 (36) The compact between the State of California and the
15 Rumsey Band of Wintun Indians, executed on September 10, 1999.

16 (37) The compact between the State of California and the
17 Robinson Rancheria Band of Pomo Indians, executed on September
18 10, 1999.

19 (38) The compact between the State of California and the
20 Rohnerville Rancheria, executed on September 10, 1999.

21 (39) The compact between the State of California and the San
22 Manuel Band of Mission Indians, executed on September 10, 1999.

23 (40) The compact between the State of California and the San
24 Pasqual Band of Mission Indians, executed on September 10, 1999.

25 (41) The compact between the State of California and the Santa
26 Rosa Rancheria Tachi Tribe, executed on September 10, 1999.

27 (42) The compact between the State of California and the Santa
28 Ynez Band of Chumash Indians, executed on September 10, 1999.

29 (43) The compact between the State of California and the
30 Sherwood Valley Rancheria Band of Pomo Indians, executed on
31 September 10, 1999.

32 (44) The compact between the State of California and the
33 Shingle Springs Band of Miwok Indians, executed on September
34 10, 1999.

35 (45) The compact between the State of California and the Smith
36 River Rancheria, executed on September 10, 1999.

37 (46) The compact between the State of California and the
38 Soboba Band of Mission Indians, executed on September 10, 1999.

39 (47) The compact between the State of California and the
40 Susanville Indian Rancheria, executed on September 10, 1999.

1 (48) The compact between the State of California and the Sycuan
2 Band of Kumeyaay Indians, executed on September 10, 1999.

3 (49) The compact between the State of California and the Table
4 Mountain Rancheria, executed on September 10, 1999.

5 (50) The compact between the State of California and the
6 Trinidad Rancheria, executed on September 10, 1999.

7 (51) The compact between the State of California and the Tule
8 River Indian Tribe, executed on September 10, 1999.

9 (52) The compact between the State of California and the
10 Tuolumne Band of Me-wuk Indians, executed on September 10,
11 1999.

12 (53) The compact between the State of California and the
13 Twenty Nine Palms Band of Mission Indians, executed on
14 September 10, 1999.

15 (54) The compact between the State of California and the Tyme
16 Maidu Tribe, Berry Creek Rancheria, executed on September 10,
17 1999.

18 (55) The compact between the State of California and the United
19 Auburn Indian Community, executed on September 10, 1999.

20 (56) The compact between the State of California and the Viejas
21 Band of Kumeyaay Indians, executed on September 10, 1999.

22 (57) The compact between the State of California and the Coyote
23 Valley Band of Pomo Indians, executed on September 10, 1999.

24 (b) Any other tribal-state gaming compact entered into between
25 the State of California and a federally recognized Indian tribe that
26 is executed after September 10, 1999, is hereby ratified if both of
27 the following are true:

28 (1) The compact is identical in all material respects to any of
29 the compacts expressly ratified pursuant to subdivision (a). A
30 compact shall be deemed to be materially identical to a compact
31 ratified pursuant to subdivision (a) if the Governor certifies it is
32 materially identical at the time he or she submits it to the
33 Legislature.

34 (2) The compact is not rejected by each house of the Legislature,
35 two-thirds of the membership thereof concurring, within 30 days
36 of the date of the submission of the compact to the Legislature by
37 the Governor. However, if the 30-day period ends during a joint
38 recess of the Legislature, the period shall be extended until the
39 fifteenth day following the day on which the Legislature
40 reconvenes.

1 (c) The Legislature acknowledges the right of federally
2 recognized Indian tribes to exercise their sovereignty to negotiate
3 and enter into tribal-state gaming compacts that are materially
4 different from the compacts ratified pursuant to subdivision (a).
5 These compacts shall be ratified by a statute approved by each
6 house of the Legislature, a majority of the members thereof
7 concurring, and signed by the Governor, unless the statute contains
8 implementing or other provisions requiring a supermajority vote,
9 in which case the statute shall be approved in the manner required
10 by the Constitution.

11 (d) The Governor is the designated state officer responsible for
12 negotiating and executing, on behalf of the state, tribal-state gaming
13 compacts with federally recognized Indian tribes located within
14 the State of California pursuant to the federal Indian Gaming
15 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
16 25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class
17 III gaming, as defined in that act, on Indian lands within this state.
18 This section does not deny the existence of the Governor's
19 authority to have negotiated and executed tribal-state gaming
20 compacts prior to January 1, 2000.

21 (e) Following completion of negotiations conducted pursuant
22 to subdivision (b) or (c), the Governor shall submit a copy of any
23 executed tribal-state compact to both houses of the Legislature for
24 ratification, and shall submit a copy of the executed compact to
25 the Secretary of State for purposes of subdivision (f).

26 (f) Upon receipt of a statute ratifying a tribal-state compact
27 negotiated and executed pursuant to subdivision (c), or upon the
28 expiration of the review period described in subdivision (b), the
29 Secretary of State shall forward a copy of the executed compact
30 and the ratifying statute, if applicable, to the Secretary of the
31 Interior for his or her review and approval, in accordance with
32 paragraph (8) of subsection (d) of Section 2710 of Title 25 of the
33 United States Code.

34 (g) In deference to tribal sovereignty, neither the execution of
35 a tribal-state gaming compact nor the on-reservation impacts of
36 compliance with the terms of a tribal-state gaming compact
37 constitutes a project for purposes of the California Environmental
38 Quality Act (Division 13 (commencing with Section 21000) of
39 the Public Resources Code).

1 98022. The tribal-state gaming compact entered into in
2 accordance with the Indian Gaming Regulatory Act of 1988 (18
3 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
4 between the State of California and the Torres-Martinez Desert
5 Cahuilla Indians, executed on August 12, 2003, is hereby ratified.

6 98023. (a) The tribal-state gaming compact entered into in
7 accordance with the Indian Gaming Regulatory Act of 1988 (18
8 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
9 between the State of California and the La Posta Band of Diegueño
10 Mission Indians of the La Posta Indian Reservation, California,
11 executed on September 9, 2003, is hereby ratified.

12 (b) The tribal-state gaming compact entered into in accordance
13 with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs.
14 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the
15 State of California and the Santa Ysabel Band of Diegueño Mission
16 Indians of the Santa Ysabel Reservation, California, executed on
17 September 8, 2003, is hereby ratified.

18 98024. (a) The following amendments to tribal-state gaming
19 compacts entered into in accordance with the Indian Gaming
20 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
21 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:

22 (1) The amendment of the compact between the State of
23 California and the Pala Band of Mission Indians, executed on June
24 21, 2004.

25 (2) The amendment of the compact between the State of
26 California and the Pauma Band of Luiseno Mission Indians of the
27 Pauma and Yuima Reservation, executed on June 21, 2004.

28 (3) The amendment of the compact between the State of
29 California and the Rumsey Band of Wintun Indians, executed on
30 June 21, 2004.

31 (4) The amendment of the compact between the State of
32 California and the United Auburn Indian Community, executed
33 on June 21, 2004.

34 (5) The amendment of the compact between the State of
35 California and the Viejas Band of Kumeyaay Indians, executed
36 on June 21, 2004.

37 (b) (1) In deference to tribal sovereignty, none of the following
38 is a project for purposes of the California Environmental Quality
39 Act (Division 13 (commencing with Section 21000) of the Public
40 Resources Code):

1 (A) The execution of an amendment of tribal-state gaming
2 compact ratified by this section.

3 (B) The execution of an intergovernmental agreement between
4 a tribe and a county or city government negotiated pursuant to the
5 express authority of, or as expressly referenced in, an amended
6 tribal-state gaming compact ratified by this section.

7 (C) The on-reservation impacts of compliance with the terms
8 of an amended tribal-state gaming compact ratified by this section.

9 (D) The sale of compact assets as defined in subdivision (a) of
10 Section 63048.6 or the creation of the special purpose trust
11 established pursuant to Section 63048.65.

12 (2) Except as expressly provided in this section, this subdivision
13 does not exempt a city, county, or a city and county from the
14 requirements of the California Environmental Quality Act.

15 98025. (a) The following tribal-state gaming compacts and
16 amendments of tribal-state gaming compacts entered into in
17 accordance with the Indian Gaming Regulatory Act of 1988 (18
18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
19 are hereby ratified:

20 (1) The amendment of the compact between the State of
21 California and the Buena Vista Rancheria of Me-Wuk Indians,
22 executed on August 23, 2004.

23 (2) The compact between the State of California and the Fort
24 Mojave Indian Tribe, executed on August 23, 2004.

25 (3) The compact between the State of California and the Coyote
26 Valley Band of Pomo Indians, executed on August 23, 2004.

27 (4) The amendment to the compact between the State of
28 California and the Ewiiapaayp Band of Kumeyaay Indians,
29 executed on August 23, 2004.

30 (5) The amendment to the compact between the State of
31 California and the Quechan Tribe of the Fort Yuma Indian
32 Reservation, executed on June 26, 2006.

33 (b) The terms of each compact apply only to the State of
34 California and the tribe that has signed it, and the terms of these
35 compacts do not bind any tribe that is not a signatory to any of the
36 compacts. The Legislature acknowledges the right of federally
37 recognized tribes to exercise their sovereignty to negotiate and
38 enter into compacts with the state that are materially different from
39 the compacts ratified pursuant to subdivision (a).

(c) (1) In deference to tribal sovereignty, none of the following is a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

(A) The execution of an amendment of a tribal-state gaming compact ratified by this section.

(B) The execution of a tribal-state gaming compact ratified by this section.

(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, a tribal-state gaming compact or an amended tribal-state gaming compact ratified by this section.

(D) The execution of an intergovernmental agreement between a tribe and the California Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, a tribal-state gaming compact or an amended tribal-state gaming compact ratified by this section.

(E) The on-reservation impacts of compliance with the terms of a tribal-state gaming compact or an amended tribal-state gaming compact ratified by this section.

(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.

(2) Except as expressly provided in this section, this subdivision does not exempt a city, county, a city and county, or the California Department of Transportation from the requirements of the California Environmental Quality Act.

(d) Revenue contributions made to the state by tribes pursuant to the tribal-state gaming compacts and amendments of tribal-state gaming compacts ratified by this section shall be deposited in the General Fund.

98026. (a) The amendment to the tribal-state gaming compact entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the Agua Caliente Band of Cahuilla Indians, executed on August 8, 2006, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following is a project for purposes of the California Environmental Quality

1 Act (Division 13 (commencing with Section 21000) of the Public
2 Resources Code):

3 (A) The execution of an amendment to the amended tribal-state
4 gaming compact ratified by this section.

5 (B) The execution of the amended tribal-state gaming compact
6 ratified by this section.

7 (C) The execution of an intergovernmental agreement between
8 a tribe and a county or city government negotiated pursuant to the
9 express authority of, or as expressly referenced in, the amended
10 tribal-state gaming compact ratified by this section.

11 (D) The execution of an intergovernmental agreement between
12 a tribe and the California Department of Transportation negotiated
13 pursuant to the express authority of, or as expressly referenced in,
14 the amended tribal-state gaming compact ratified by this section.

15 (E) The on-reservation impacts of compliance with the terms
16 of the amended tribal-state gaming compact ratified by this section.

17 (F) The sale of compact assets, as defined in subdivision (a) of
18 Section 63048.6, or the creation of the special purpose trust
19 established pursuant to Section 63048.65.

20 (2) Except as expressly provided in this section, this subdivision
21 does not exempt a city, county, or city and county, or the California
22 Department of Transportation, from the requirements of the
23 California Environmental Quality Act.

24 (c) Revenue contributions made to the state by tribes pursuant
25 to the amended tribal-state gaming compact ratified by this section
26 shall be deposited in the General Fund.

27 98027. The memorandum of agreement entered into between
28 the State of California and the Agua Caliente Band of Cahuilla
29 Indians, executed on June 27, 2007, is hereby approved.

30 98028. (a) The amendment to the tribal-state gaming compact
31 entered into in accordance with the Indian Gaming Regulatory Act
32 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
33 2701 et seq.) between the State of California and the San Manuel
34 Band of Mission Indians, executed on August 28, 2006, is hereby
35 ratified.

36 (b) The terms of the amended compact ratified by this section
37 shall apply only to the State of California and the tribe that has
38 signed it, and shall not bind any tribe that is not a signatory to the
39 amended compact. The Legislature acknowledges the right of
40 federally recognized tribes to exercise their sovereignty to negotiate

1 and enter into compacts with the state that are materially different
2 from the amended compact ratified pursuant to subdivision (a).

3 (c) (1) In deference to tribal sovereignty, none of the following
4 shall be deemed a project for purposes of the California
5 Environmental Quality Act (Division 13 (commencing with Section
6 21000) of the Public Resources Code):

7 (A) The execution of an amendment to the amended tribal-state
8 gaming compact ratified by this section.

9 (B) The execution of the amended tribal-state gaming compact
10 ratified by this section.

11 (C) The execution of an intergovernmental agreement between
12 a tribe and a county or city government negotiated pursuant to the
13 express authority of, or as expressly referenced in, the amended
14 tribal-state gaming compact ratified by this section.

15 (D) The execution of an intergovernmental agreement between
16 a tribe and the California Department of Transportation negotiated
17 pursuant to the express authority of, or as expressly referenced in,
18 the amended tribal-state gaming compact ratified by this section.

19 (E) The on-reservation impacts of compliance with the terms
20 of the amended tribal-state gaming compact ratified by this section.

21 (F) The sale of compact assets, as defined in subdivision (a) of
22 Section 63048.6, or the creation of the special purpose trust
23 established pursuant to Section 63048.65.

24 (2) Except as expressly provided in this section, this subdivision
25 does not exempt a city, county, or city and county, or the California
26 Department of Transportation, from the requirements of the
27 California Environmental Quality Act.

28 (d) Revenue contributions made to the state by tribes pursuant
29 to the amended tribal-state gaming compact ratified by this section
30 shall be deposited in the General Fund, or as otherwise provided
31 in the amended compact.

32 98029. The letter of agreement entered into between the State
33 of California and the San Manuel Band of Mission Indians,
34 executed on September 5, 2007, is hereby approved.

35 98030. (a) The amendment to the tribal-state gaming compact
36 entered into in accordance with the Indian Gaming Regulatory Act
37 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
38 2701 et seq.) between the State of California and the Morongo
39 Band of Mission Indians, executed on August 29, 2006, is hereby
40 ratified.

1 (b) (1) In deference to tribal sovereignty, none of the following
2 is a project for purposes of the California Environmental Quality
3 Act (Division 13 (commencing with Section 21000) of the Public
4 Resources Code):

5 (A) The execution of an amendment to the amended tribal-state
6 gaming compact ratified by this section.

7 (B) The execution of the amended tribal-state gaming compact
8 ratified by this section.

9 (C) The execution of an intergovernmental agreement between
10 a tribe and a county or city government negotiated pursuant to the
11 express authority of, or as expressly referenced in, the amended
12 tribal-state gaming compact ratified by this section.

13 (D) The execution of an intergovernmental agreement between
14 a tribe and the California Department of Transportation negotiated
15 pursuant to the express authority of, or as expressly referenced in,
16 the amended tribal-state gaming compact ratified by this section.

17 (E) The on-reservation impacts of compliance with the terms
18 of the amended tribal-state gaming compact ratified by this section.

19 (F) The sale of compact assets, as defined in subdivision (a) of
20 Section 63048.6, or the creation of the special purpose trust
21 established pursuant to Section 63048.65.

22 (2) Except as expressly provided in this section, this subdivision
23 does not exempt a city, county, or city and county, or the California
24 Department of Transportation, from the requirements of the
25 California Environmental Quality Act.

26 (c) Revenue contributions made to the state by tribes pursuant
27 to the amended tribal-state gaming compact ratified by this section
28 shall be deposited in the General Fund.

29 98031. The memorandum of agreement entered into between
30 the State of California and the Morongo Band of Mission Indians,
31 executed on June 27, 2007, is hereby approved.

32 98032. (a) The amendment to the tribal-state gaming compact
33 entered into in accordance with the Indian Gaming Regulatory Act
34 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
35 2701 et seq.) between the State of California and the Pechanga
36 Band of Luiseño Mission Indians, executed on August 28, 2006,
37 is hereby ratified.

38 (b) (1) In deference to tribal sovereignty, none of the following
39 is a project for purposes of the California Environmental Quality

1 Act (Division 13 (commencing with Section 21000) of the Public
2 Resources Code):

3 (A) The execution of an amendment to the amended tribal-state
4 gaming compact ratified by this section.

5 (B) The execution of the amended tribal-state gaming compact
6 ratified by this section.

7 (C) The execution of an intergovernmental agreement between
8 a tribe and a county or city government negotiated pursuant to the
9 express authority of, or as expressly referenced in, the amended
10 tribal-state gaming compact ratified by this section.

11 (D) The execution of an intergovernmental agreement between
12 a tribe and the California Department of Transportation negotiated
13 pursuant to the express authority of, or as expressly referenced in,
14 the amended tribal-state gaming compact ratified by this section.

15 (E) The on-reservation impacts of compliance with the terms
16 of the amended tribal-state gaming compact ratified by this section.

17 (F) The sale of compact assets, as defined in subdivision (a) of
18 Section 63048.6, or the creation of the special purpose trust
19 established pursuant to Section 63048.65.

20 (2) Except as expressly provided in this section, this subdivision
21 does not exempt a city, county, or city and county, or the California
22 Department of Transportation, from the requirements of the
23 California Environmental Quality Act.

24 (c) Revenue contributions made to the state by the tribe pursuant
25 to the amended tribal-state gaming compact ratified by this section
26 shall be deposited in the General Fund.

27 98033. The memorandum of agreement entered into between
28 the State of California and the Pechanga Band of Luiseño Indians,
29 executed on June 27, 2007, is hereby approved.

30 98034. (a) The amendment to the tribal-state gaming compact
31 entered into in accordance with the Indian Gaming Regulatory Act
32 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
33 2701 et seq.) between the State of California and the Sycuan Band
34 of the Kumeyaay Nation, executed on August 30, 2006, is hereby
35 ratified.

36 (b) The terms of the amended compact ratified by this section
37 shall apply only to the State of California and the tribe that has
38 signed it, and shall not bind any tribe that is not a signatory to the
39 amended compact. The Legislature acknowledges the right of
40 federally recognized tribes to exercise their sovereignty to negotiate

1 and enter into compacts with the state that are materially different
2 from the amended compact ratified pursuant to subdivision (a).

3 (c) (1) In deference to tribal sovereignty, none of the following
4 is a project for purposes of the California Environmental Quality
5 Act (Division 13 (commencing with Section 21000) of the Public
6 Resources Code):

7 (A) The execution of an amendment to the amended tribal-state
8 gaming compact ratified by this section.

9 (B) The execution of the amended tribal-state gaming compact
10 ratified by this section.

11 (C) The execution of an intergovernmental agreement between
12 a tribe and a county or city government negotiated pursuant to the
13 express authority of, or as expressly referenced in, the amended
14 tribal-state gaming compact ratified by this section.

15 (D) The execution of an intergovernmental agreement between
16 a tribe and the California Department of Transportation negotiated
17 pursuant to the express authority of, or as expressly referenced in,
18 the amended tribal-state gaming compact ratified by this section.

19 (E) The on-reservation impacts of compliance with the terms
20 of the amended tribal-state gaming compact ratified by this section.

21 (F) The sale of compact assets, as defined in subdivision (a) of
22 Section 63048.6, or the creation of the special purpose trust
23 established pursuant to Section 63048.65.

24 (2) Except as expressly provided in this section, this subdivision
25 does not exempt a city, county, or city and county, or the California
26 Department of Transportation, from the requirements of the
27 California Environmental Quality Act.

28 (d) Revenue contributions made to the state by the tribe pursuant
29 to the amended tribal-state gaming compact ratified by this section
30 shall be deposited in the General Fund, or as otherwise provided
31 in the amended compact.

32 98035. The memorandum of agreement entered into between
33 the State of California and the Sycuan Band of the Kumeyaay
34 Nation, executed on June 27, 2007, is hereby approved.

35 98036. (a) The tribal-state gaming compact entered into in
36 accordance with the Indian Gaming Regulatory Act of 1988 (18
37 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
38 between the State of California and the Yurok Tribe of the Yurok
39 Reservation, executed on August 29, 2006, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following is a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

(A) The execution of an amendment of the tribal-state gaming compact ratified by this section.

(B) The execution of the tribal-state gaming compact ratified by this section.

(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(D) The execution of an intergovernmental agreement between a tribe and the California Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(E) The on-reservation impacts of compliance with the terms of the tribal-state gaming compact ratified by this section.

(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.

(2) Except as expressly provided in this section, this subdivision does not exempt a city, county, or city and county, or the California Department of Transportation, from the requirements of the California Environmental Quality Act.

(c) Revenue contributions made to the state by the tribe pursuant to the tribal-state gaming compact ratified by this section shall be deposited in the General Fund.

98037. (a) The amendment to the tribal-state gaming compact entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the Shingle Springs Band of Miwok Indians, executed on June 30, 2008, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following is a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

(A) The execution of an amendment to the amended tribal-state gaming compact ratified by this section.

1 (B) The execution of the amended tribal-state gaming compact
2 ratified by this section.

3 (C) The execution of an intergovernmental agreement between
4 a tribe and a county or city government negotiated pursuant to the
5 express authority of, or as expressly referenced in, the amended
6 tribal-state gaming compact ratified by this section.

7 (D) The execution of an intergovernmental agreement between
8 a tribe and the California Department of Transportation negotiated
9 pursuant to the express authority of, or as expressly referenced in,
10 the amended tribal-state gaming compact ratified by this section.

11 (E) The on-reservation impacts of compliance with the terms
12 of the amended tribal-state gaming compact ratified by this section.

13 (F) The sale of compact assets, as defined in subdivision (a) of
14 Section 63048.6, or the creation of the special purpose trust
15 established pursuant to Section 63048.65.

16 (2) Except as expressly provided in this section, this subdivision
17 does not exempt a city, county, or city and county, or the California
18 Department of Transportation, from the requirements of the
19 California Environmental Quality Act.

20 (c) Revenue contributions made to the state by the tribe pursuant
21 to the tribal-state gaming compact ratified by this section shall be
22 deposited in the General Fund, except as otherwise provided by
23 the amended compact or by a statute directing that a portion of the
24 revenue contributions be deposited in a special fund.

25 98038. (a) The tribal-state gaming compact entered into in
26 accordance with the Indian Gaming Regulatory Act of 1988 (18
27 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
28 between the State of California and the Habematolel Pomo of
29 Upper Lake, executed on March 17, 2011, is hereby ratified.

30 (b) (1) In deference to tribal sovereignty, none of the following
31 is a project for purposes of the California Environmental Quality
32 Act (Division 13 (commencing with Section 21000) of the Public
33 Resources Code):

34 (A) The execution of an amendment to the tribal-state gaming
35 compact ratified by this section.

36 (B) The execution of the tribal-state gaming compact ratified
37 by this section.

38 (C) The execution of an intergovernmental agreement between
39 a tribe and a county or city government negotiated pursuant to the

1 express authority of, or as expressly referenced in, the tribal-state
2 gaming compact ratified by this section.

3 (D) The execution of an intergovernmental agreement between
4 a tribe and the California Department of Transportation negotiated
5 pursuant to the express authority of, or as expressly referenced in,
6 the tribal-state gaming compact ratified by this section.

7 (E) The on-reservation impacts of compliance with the terms
8 of the tribal-state gaming compact ratified by this section.

9 (F) The sale of compact assets, as defined in subdivision (a) of
10 Section 63048.6, or the creation of the special purpose trust
11 established pursuant to Section 63048.65.

12 (2) Except as expressly provided in this section, this subdivision
13 does not exempt a city, county, or city and county, or the California
14 Department of Transportation, from the requirements of the
15 California Environmental Quality Act.

16 98039. (a) The tribal-state gaming compact entered into in
17 accordance with the Indian Gaming Regulatory Act of 1988 (18
18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
19 between the State of California and the Pinoleville Pomo Nation,
20 executed on August 8, 2011, is hereby ratified.

21 (b) (1) In deference to tribal sovereignty, none of the following
22 is a project for purposes of the California Environmental Quality
23 Act (Division 13 (commencing with Section 21000) of the Public
24 Resources Code):

25 (A) The execution of an amendment to the tribal-state gaming
26 compact ratified by this section.

27 (B) The execution of the tribal-state gaming compact ratified
28 by this section.

29 (C) The execution of an intergovernmental agreement between
30 a tribe and a county or city government negotiated pursuant to the
31 express authority of, or as expressly referenced in, the tribal-state
32 gaming compact ratified by this section.

33 (D) The execution of an intergovernmental agreement between
34 a tribe and the Department of Transportation negotiated pursuant
35 to the express authority of, or as expressly referenced in, the
36 tribal-state gaming compact ratified by this section.

37 (E) The on-reservation impacts of compliance with the terms
38 of the tribal-state gaming compact ratified by this section.

1 (F) The sale of compact assets, as defined in subdivision (a) of
2 Section 63048.6, or the creation of the special purpose trust
3 established pursuant to Section 63048.65.

4 (2) Except as expressly provided in this section, this subdivision
5 does not exempt a city, county, or city and county, or the
6 Department of Transportation, from the requirements of the
7 California Environmental Quality Act.

8 98040. (a) The tribal-state gaming compact entered into in
9 accordance with the federal Indian Gaming Regulatory Act of
10 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701
11 et seq.) between the State of California and the Federated Indians
12 of Graton Rancheria, executed on March 27, 2012, is hereby
13 ratified.

14 (b) (1) In deference to tribal sovereignty, none of the following
15 is a project for purposes of the California Environmental Quality
16 Act (Division 13 (commencing with Section 21000) of the Public
17 Resources Code):

18 (A) The execution of an amendment to the tribal-state gaming
19 compact ratified by this section.

20 (B) The execution of the tribal-state gaming compact ratified
21 by this section.

22 (C) The execution of an intergovernmental agreement between
23 a tribe and a county or city government negotiated pursuant to the
24 express authority of, or as expressly referenced in, the tribal-state
25 gaming compact ratified by this section.

26 (D) The execution of an intergovernmental agreement between
27 a tribe and the Department of Transportation negotiated pursuant
28 to the express authority of, or as expressly referenced in, the
29 tribal-state gaming compact ratified by this section.

30 (E) The on-reservation impacts of compliance with the terms
31 of the tribal-state gaming compact ratified by this section.

32 (F) The sale of compact assets, as defined in subdivision (a) of
33 Section 63048.6, or the creation of the special purpose trust
34 established pursuant to Section 63048.65.

35 (2) Except as expressly provided in this section, this subdivision
36 does not exempt a city, county, or city and county, or the
37 Department of Transportation, from the requirements of the
38 California Environmental Quality Act.

39 98041. (a) The amendment to the tribal-state gaming compact
40 entered into in accordance with the federal Indian Gaming

1 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
2 25 U.S.C. Sec. 2701 et seq.) between the State of California and
3 the Coyote Valley Band of Pomo Indians, executed on July 25,
4 2012, is hereby ratified.

5 (b) (1) In deference to tribal sovereignty, none of the following
6 is a project for purposes of the California Environmental Quality
7 Act (Division 13 (commencing with Section 21000) of the Public
8 Resources Code):

9 (A) The execution of an amendment to the amended tribal-state
10 gaming compact ratified by this section.

11 (B) The execution of the amended tribal-state gaming compact
12 ratified by this section.

13 (C) The execution of an intergovernmental agreement between
14 a tribe and a county or city government negotiated pursuant to the
15 express authority of, or as expressly referenced in, the amended
16 tribal-state gaming compact ratified by this section.

17 (D) The execution of an intergovernmental agreement between
18 a tribe and the Department of Transportation negotiated pursuant
19 to the express authority of, or as expressly referenced in, the
20 amended tribal-state gaming compact ratified by this section.

21 (E) The on-reservation impacts of compliance with the terms
22 of the amended tribal-state gaming compact ratified by this section.

23 (F) The sale of compact assets, as defined in subdivision (a) of
24 Section 63048.6, or the creation of the special purpose trust
25 established pursuant to Section 63048.65.

26 (2) Except as expressly provided in this section, this subdivision
27 does not exempt a city, county, or city and county, or the
28 Department of Transportation, from the requirements of the
29 California Environmental Quality Act.

30 98042. (a) The amendment to the tribal-state gaming compact
31 entered into in accordance with the federal Indian Gaming
32 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
33 25 U.S.C. Sec. 2701 et seq.) between the State of California and
34 the Shingle Springs Band of Miwok Indians, executed on
35 November 15, 2012, is hereby ratified.

36 (b) (1) In deference to tribal sovereignty, none of the following
37 shall be deemed a project for purposes of the California
38 Environmental Quality Act (Division 13 (commencing with Section
39 21000) of the Public Resources Code):

1 (A) The execution of an amendment to the amended tribal-state
2 gaming compact ratified by this section.

3 (B) The execution of the amended tribal-state gaming compact
4 ratified by this section.

5 (C) The execution of an intergovernmental agreement between
6 a tribe and a county or city government negotiated pursuant to the
7 express authority of, or as expressly referenced in, the amended
8 tribal-state gaming compact ratified by this section.

9 (D) The execution of an intergovernmental agreement between
10 a tribe and the Department of Transportation negotiated pursuant
11 to the express authority of, or as expressly referenced in, the
12 amended tribal-state gaming compact ratified by this section.

13 (E) The on-reservation impacts of compliance with the terms
14 of the amended tribal-state gaming compact ratified by this section.

15 (F) The sale of compact assets, as defined in subdivision (a) of
16 Section 63048.6, or the creation of the special purpose trust
17 established pursuant to Section 63048.65.

18 (2) Except as expressly provided in this paragraph, this
19 subdivision does not exempt a city, county, or city and county, or
20 the Department of Transportation, from the requirements of the
21 California Environmental Quality Act.

22 98043. (a) The Shingle Springs Band of Miwok Indians Trust
23 Fund is hereby created in the State Treasury as a special purpose
24 trust fund for the receipt and deposit of revenue payments received
25 by the state from the Shingle Springs Band of Miwok Indians
26 pursuant to the terms of the amended tribal-state gaming compact
27 ratified pursuant to Section 98042 and any trust fund agreement
28 executed by the state and the tribe pursuant to that tribal-state
29 gaming compact. The trust fund shall be administered by the
30 California Gambling Control Commission.

31 (b) Notwithstanding Section 13340, there is continuously
32 appropriated without regard to fiscal years, from the trust fund to
33 the California Gambling Control Commission, the amount
34 necessary for the specific purposes enumerated in the tribal-state
35 gaming compact ratified pursuant to Section 98042 and any trust
36 fund agreement executed by the state and the tribe pursuant to that
37 tribal-state gaming compact, including, but not limited to, both of
38 the following purposes:

1 (1) Governmental operations of the tribe, including, but not
2 limited to, tribal administration, distributions, health care,
3 education, and economic development.

4 (2) Reduction of the tribe's existing debt related to its gaming
5 facility, including, but not limited to, the payment of reasonable
6 costs paid by the tribe or gaming operation in connection with
7 refinancing or restructuring its debt load and any related litigation
8 or administrative proceedings, including attorney's fees.

9 (c) Funds expended from the trust fund shall be used exclusively
10 for the purposes enumerated in the amended tribal-state gaming
11 compact ratified pursuant to Section 98042 and any trust fund
12 agreement executed by the state and the tribe pursuant to that
13 tribal-state gaming compact.

14 (d) Funds deposited into the trust fund shall accrue interest at
15 the rate earned by moneys invested in the Pooled Money
16 Investment Account from the date of deposit until appropriated
17 pursuant to subdivision (b).

18 (e) The trust fund shall terminate on January 1, 2016, or a later
19 date if agreed to by the parties by written agreement. The state and
20 the tribe may terminate the trust fund by written agreement at any
21 earlier date if the parties determine that it has served its intended
22 purpose.

23 (f) Any funds remaining in the trust fund at the time it is
24 terminated shall revert to the tribe.

25 (g) The California Gambling Control Commission has no duties,
26 responsibilities, or obligations related to the trust fund other than
27 those expressly set forth in the amended tribal-state gaming
28 compact ratified pursuant to Section 98042 and any trust fund
29 agreement executed by the state and the tribe pursuant to that
30 tribal-state gaming compact. Consistent with its duties pursuant
31 to the Indian Gaming Revenue Sharing Trust Fund or any other
32 similar fund, the California Gambling Control Commission is not
33 a trustee subject to the duties and liabilities contained in the Probate
34 Code, similar federal or state statutes, rules, or regulations, or
35 under federal or state common law or equitable principles.

36 98044. (a) The tribal-state gaming compact entered into in
37 accordance with the federal Indian Gaming Regulatory Act of
38 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
39 2701 et seq.) between the State of California and the Fort

1 Independence Indian Community of Paiute Indians, executed
2 February 28, 2013, is hereby ratified.

3 (b) (1) In deference to tribal sovereignty, none of the following
4 shall be deemed a project for purposes of the California
5 Environmental Quality Act (Division 13 (commencing with Section
6 21000) of the Public Resources Code):

7 (A) The execution of an amendment to the tribal-state gaming
8 compact ratified by this section.

9 (B) The execution of the tribal-state gaming compact ratified
10 by this section.

11 (C) The execution of an intergovernmental agreement between
12 a tribe and a county or city government negotiated pursuant to the
13 express authority of, or as expressly referenced in, the tribal-state
14 gaming compact ratified by this section.

15 (D) The execution of an intergovernmental agreement between
16 a tribe and the Department of Transportation negotiated pursuant
17 to the express authority of, or as expressly referenced in, the
18 tribal-state gaming compact ratified by this section.

19 (E) The on-reservation impacts of compliance with the terms
20 of the tribal-state gaming compact ratified by this section.

21 (F) The sale of compact assets, as defined in subdivision (a) of
22 Section 63048.6, or the creation of the special purpose trust
23 established pursuant to Section 63048.65.

24 (2) Except as expressly provided herein, this subdivision does
25 not exempt a city, county, or city and county, or the Department
26 of Transportation, from the requirements of the California
27 Environmental Quality Act.

28 98045. (a) The tribal-state gaming compact entered into in
29 accordance with the federal Indian Gaming Regulatory Act of
30 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
31 2701 et seq.) between the State of California and the Ramona Band
32 of Cahuilla, executed on June 10, 2013, is hereby ratified.

33 (b) (1) In deference to tribal sovereignty, none of the following
34 shall be deemed a project for purposes of the California
35 Environmental Quality Act (Division 13 (commencing with Section
36 21000) of the Public Resources Code):

37 (A) The execution of an amendment to the tribal-state gaming
38 compact ratified by this section.

39 (B) The execution of the tribal-state gaming compact ratified
40 by this section.

1 (C) The execution of an intergovernmental agreement between
2 a tribe and a county or city government negotiated pursuant to the
3 express authority of, or as expressly referenced in, the tribal-state
4 gaming compact ratified by this section.

5 (D) The execution of an intergovernmental agreement between
6 a tribe and the Department of Transportation negotiated pursuant
7 to the express authority of, or as expressly referenced in, the
8 tribal-state gaming compact ratified by this section.

9 (E) The on-reservation impacts of compliance with the terms
10 of the tribal-state gaming compact ratified by this section.

11 (F) The sale of compact assets, as defined in subdivision (a) of
12 Section 63048.6, or the creation of the special purpose trust
13 established pursuant to Section 63048.65.

14 (2) Except as expressly provided herein, this subdivision does
15 not exempt a city, county, or city and county, or the Department
16 of Transportation, from the requirements of the California
17 Environmental Quality Act.

18 98046. (a) The tribal-state gaming compact entered into in
19 accordance with the federal Indian Gaming Regulatory Act of
20 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
21 2701 et seq.) between the State of California and the Karuk Tribe,
22 executed on December 4, 2013, is hereby ratified.

23 (b) (1) In deference to tribal sovereignty, none of the following
24 shall be deemed a project for purposes of the California
25 Environmental Quality Act (Division 13 (commencing with Section
26 21000) of the Public Resources Code):

27 (A) The execution of an amendment to the tribal-state gaming
28 compact ratified by this section.

29 (B) The execution of the tribal-state gaming compact ratified
30 by this section.

31 (C) The execution of an intergovernmental agreement between
32 a tribe and a county or city government negotiated pursuant to the
33 express authority of, or as expressly referenced in, the tribal-state
34 gaming compact ratified by this section.

35 (D) The execution of an intergovernmental agreement between
36 a tribe and the Department of Transportation negotiated pursuant
37 to the express authority of, or as expressly referenced in, the
38 tribal-state gaming compact ratified by this section.

39 (E) The on-reservation impacts of compliance with the terms
40 of the tribal-state gaming compact ratified by this section.

1 (F) The sale of compact assets, as defined in subdivision (a) of
2 Section 63048.6, or the creation of the special purpose trust
3 established pursuant to Section 63048.65.

4 (2) Except as expressly provided herein, this subdivision does
5 not exempt a city, county, or city and county, or the Department
6 of Transportation, from the requirements of the California
7 Environmental Quality Act.

8 98047. (a) The amendment to the tribal-state gaming compact
9 entered into in accordance with the federal Indian Gaming
10 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive,
11 and 25 U.S.C. Sec. 2701 et seq.) between the State of California
12 and the Viejas Band of Kumeyaay Indians, executed on August
13 12, 2014, is hereby ratified.

14 (b) (1) In deference to tribal sovereignty, none of the following
15 shall be deemed a project for purposes of the California
16 Environmental Quality Act (Division 13 (commencing with Section
17 21000) of the Public Resources Code):

18 (A) The execution of an amendment to the tribal-state gaming
19 compact ratified by this section.

20 (B) The execution of the amended tribal-state gaming compact
21 ratified by this section.

22 (C) The execution of an intergovernmental agreement between
23 a tribe and a county or city government negotiated pursuant to the
24 express authority of, or as expressly referenced in, the amended
25 tribal-state gaming compact ratified by this section.

26 (D) The execution of an intergovernmental agreement between
27 a tribe and the Department of Transportation negotiated pursuant
28 to the express authority of, or as expressly referenced in, the
29 amended tribal-state gaming compact ratified by this section.

30 (E) The on-reservation impacts of compliance with the terms
31 of the amended tribal-state gaming compact ratified by this section.

32 (F) The sale of compact assets, as defined in subdivision (a) of
33 Section 63048.6, or the creation of the special purpose trust
34 established pursuant to Section 63048.65.

35 (2) Except as expressly provided in this section, this subdivision
36 does not exempt a city, county, or city and county, or the
37 Department of Transportation, from the requirements of the
38 California Environmental Quality Act.

39 98048. (a) The tribal-state gaming compact entered into in
40 accordance with the federal Indian Gaming Regulatory Act of

1 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
2 2701 et seq.) between the State of California and the Jackson
3 Rancheria Band of Miwuk Indians, executed on February 1, 2015,
4 is hereby ratified.

5 (b) (1) In deference to tribal sovereignty, none of the following
6 shall be deemed a project for purposes of the California
7 Environmental Quality Act (Division 13 (commencing with Section
8 21000) of the Public Resources Code):

9 (A) The execution of an amendment to the tribal-state gaming
10 compact ratified by this section.

11 (B) The execution of the tribal-state gaming compact ratified
12 by this section.

13 (C) The execution of an intergovernmental agreement between
14 a tribe and a county or city government negotiated pursuant to the
15 express authority of, or as expressly referenced in, the tribal-state
16 gaming compact ratified by this section.

17 (D) The execution of an intergovernmental agreement between
18 a tribe and the Department of Transportation negotiated pursuant
19 to the express authority of, or as expressly referenced in, the
20 tribal-state gaming compact ratified by this section.

21 (E) The on-reservation impacts of compliance with the terms
22 of the tribal-state gaming compact ratified by this section.

23 (F) The sale of compact assets, as defined in subdivision (a) of
24 Section 63048.6, or the creation of the special purpose trust
25 established pursuant to Section 63048.65.

26 (2) Except as expressly provided herein, this subdivision does
27 not exempt a city, county, or city and county, or the Department
28 of Transportation, from the requirements of the California
29 Environmental Quality Act.

30 98049. (a) The tribal-state gaming compact entered into in
31 accordance with the federal Indian Gaming Regulatory Act of
32 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
33 2701 et seq.) between the State of California and the Santa Ynez
34 Band of Mission Indians, executed on August 26, 2015, is hereby
35 ratified.

36 (b) (1) In deference to tribal sovereignty, none of the following
37 shall be deemed a project for purposes of the California
38 Environmental Quality Act (Division 13 (commencing with Section
39 21000) of the Public Resources Code):

1 (A) The execution of an amendment to the tribal-state gaming
2 compact ratified by this section.

3 (B) The execution of the tribal-state gaming compact ratified
4 by this section.

5 (C) The execution of an intergovernmental agreement between
6 a tribe and a county or city government negotiated pursuant to the
7 express authority of, or as expressly referenced in, the tribal-state
8 gaming compact ratified by this section.

9 (D) The execution of an intergovernmental agreement between
10 a tribe and the Department of Transportation negotiated pursuant
11 to the express authority of, or as expressly referenced in, the
12 tribal-state gaming compact ratified by this section.

13 (E) The on-reservation impacts of compliance with the terms
14 of the tribal-state gaming compact ratified by this section.

15 (F) The sale of compact assets, as defined in subdivision (a) of
16 Section 63048.6, or the creation of the special purpose trust
17 established pursuant to Section 63048.65.

18 (2) Except as expressly provided herein, this subdivision does
19 not exempt a city, county, or city and county, or the Department
20 of Transportation, from the requirements of the California
21 Environmental Quality Act.

22 98050. (a) The tribal-state gaming compact entered into in
23 accordance with the federal Indian Gaming Regulatory Act of
24 1988 (18 U.S.C. Sec. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
25 2701 et seq.) between the State of California and the United Auburn
26 Indian Community, executed on August 14, 2015, is hereby
27 ratified.

28 (b) (1) In deference to tribal sovereignty, none of the following
29 shall be deemed a project for purposes of the California
30 Environmental Quality Act (Division 13 (commencing with Section
31 21000) of the Public Resources Code):

32 (A) The execution of an amendment to the tribal-state gaming
33 compact ratified by this section.

34 (B) The execution of the tribal-state gaming compact ratified
35 by this section.

36 (C) The execution of an intergovernmental agreement between
37 a tribe and a county or city government negotiated pursuant to the
38 express authority of, or as expressly referenced in, the tribal-state
39 gaming compact ratified by this section.

1 (D) The execution of an intergovernmental agreement between
2 a tribe and the Department of Transportation negotiated pursuant
3 to the express authority of, or as expressly referenced in, the
4 tribal-state gaming compact ratified by this section.

5 (E) The on-reservation impacts of compliance with the terms
6 of the tribal-state gaming compact ratified by this section.

7 (F) The sale of compact assets, as defined in subdivision (a) of
8 Section 63048.6, or the creation of the special purpose trust
9 established pursuant to Section 63048.65.

10 (2) Except as expressly provided herein, this subdivision does
11 not exempt a city, county, or city and county, or the Department
12 of Transportation, from the requirements of the California
13 Environmental Quality Act.

14 98051. (a) The tribal-state gaming compact entered into in
15 accordance with the federal Indian Gaming Regulatory Act of
16 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
17 2701 et seq.) between the State of California and the Sycuan Band
18 of the Kumeyaay Nation, executed on September 2, 2015, is hereby
19 ratified.

20 (b) (1) In deference to tribal sovereignty, none of the following
21 shall be deemed a project for purposes of the California
22 Environmental Quality Act (Division 13 (commencing with Section
23 21000) of the Public Resources Code):

24 (A) The execution of an amendment to the tribal-state gaming
25 compact ratified by this section.

26 (B) The execution of the tribal-state gaming compact ratified
27 by this section.

28 (C) The execution of an intergovernmental agreement between
29 a tribe and a county or city government negotiated pursuant to the
30 express authority of, or as expressly referenced in, the tribal-state
31 gaming compact ratified by this section.

32 (D) The execution of an intergovernmental agreement between
33 a tribe and the Department of Transportation negotiated pursuant
34 to the express authority of, or as expressly referenced in, the
35 tribal-state gaming compact ratified by this section.

36 (E) The on-reservation impacts of compliance with the terms
37 of the tribal-state gaming compact ratified by this section.

38 (F) The sale of compact assets, as defined in subdivision (a) of
39 Section 63048.6, or the creation of the special purpose trust
40 established pursuant to Section 63048.65.

(2) Except as expressly provided herein, this subdivision does not exempt a city, county, or city and county, or the Department of Transportation, from the requirements of the California Environmental Quality Act.

CHAPTER 2. TRIBAL GAMING REVENUE

98070. There is hereby created in the State Treasury a special fund entitled the "Indian Gaming Revenue Sharing Trust Fund" for the receipt and deposit of moneys derived from gaming device license fees that are paid into the fund pursuant to the terms of tribal-state gaming compacts for the purpose of making distributions to noncompact tribes. Moneys in the Indian Gaming Revenue Sharing Trust Fund are available to the California Gambling Control Commission, upon appropriation by the Legislature, for the purpose of making distributions to noncompact tribes, in accordance with distribution plans specified in tribal-state gaming compacts.

98071. There is hereby created in the State Treasury a fund entitled the "Indian Gaming Special Distribution Fund" for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of tribal-state gaming compacts. These moneys are available for appropriation by the Legislature for the following purposes:

(a) Grants, including any administrative costs, for programs designed to address gambling addiction.

(b) Grants, including any administrative costs, for the support of state and local government agencies impacted by tribal government gaming.

(c) Compensation for regulatory costs incurred by the State Gaming Agency and the Department of Justice in connection with the implementation and administration of tribal-state gaming compacts.

(d) Payment of shortfalls that may occur in the Indian Gaming Revenue Sharing Trust Fund. This shall be the priority use of moneys in the Indian Gaming Special Distribution Fund.

(e) Disbursements for the purpose of implementing the terms of tribal labor relations ordinances promulgated in accordance with the terms of tribal-state gaming compacts ratified pursuant to Chapter 874 of the Statutes of 1999. No more than 10 percent of

1 the funds appropriated in the Budget Act of 2000 for
2 implementation of tribal labor relations ordinances promulgated
3 in accordance with those compacts shall be expended in the
4 selection of the Tribal Labor Panel. The Department of Human
5 Resources shall consult with, and seek input from, the parties prior
6 to any expenditure for purposes of selecting the Tribal Labor Panel.
7 Other than the cost of selecting the Tribal Labor Panel, there shall
8 be no further disbursements until the Tribal Labor Panel, which
9 is selected by mutual agreement of the parties, is in place.

10 (f) Any other purpose specified by law.

11 (g) Priority for funding from the Indian Gaming Special
12 Distribution Fund is in the following descending order:

13 (1) An appropriation to the Indian Gaming Revenue Sharing
14 Trust Fund in an aggregate amount sufficient to make payments
15 of any shortfalls that may occur in the Indian Gaming Revenue
16 Sharing Trust Fund.

17 (2) An appropriation to the Office of Problem and Pathological
18 Gambling within the State Department of Alcohol and Drug
19 Programs for problem gambling prevention programs.

20 (3) The amount appropriated in the annual Budget Act for
21 allocation between the Department of Justice and the California
22 Gambling Control Commission for regulatory functions that
23 directly relate to Indian gaming.

24 (4) An appropriation for the support of local government
25 agencies impacted by tribal gaming.

26 98072. (a) For purposes of this section, “eligible recipient
27 Indian tribe” means a noncompact tribe, as defined in Section
28 4.3.2(a)(i) of the tribal-state gaming compacts ratified and in effect
29 as provided in subdivision (f) of Section 19 of Article IV of the
30 California Constitution.

31 (b) The California Gambling Control Commission shall provide
32 to the committee in the Senate and Assembly that considers the
33 State Budget an estimate of the amount needed to backfill the
34 Indian Gaming Revenue Sharing Trust Fund on or before the date
35 of the May budget revision for each fiscal year.

36 (c) An eligible recipient Indian tribe may not receive an amount
37 from the backfill appropriated following the estimate made
38 pursuant to subdivision (b) that would give the eligible recipient
39 Indian tribe an aggregate amount in excess of two hundred
40 seventy-five thousand dollars (\$275,000) per eligible quarter. Any

1 funds transferred from the Indian Gaming Special Distribution
2 Fund to the Indian Gaming Revenue Sharing Trust Fund that result
3 in a surplus shall revert back to the Indian Gaming Special
4 Distribution Fund following the authorization of the final payment
5 of the fiscal year.

6 (d) Upon a transfer of moneys from the Indian Gaming Special
7 Distribution Fund to the Indian Gaming Revenue Sharing Trust
8 Fund and appropriation from the trust fund, the California
9 Gambling Control Commission shall distribute the moneys without
10 delay to eligible recipient Indian tribes for each quarter that a tribe
11 was eligible to receive a distribution during the fiscal year
12 immediately preceding.

13 (e) For each fiscal year commencing with the 2005–06 fiscal
14 year, all of the following shall apply and subdivisions (b) to (d),
15 inclusive, shall not apply:

16 (1) On or before the day of the May budget revision for each
17 fiscal year, the California Gambling Control Commission shall
18 determine the anticipated total amount of shortfalls in payment
19 likely to occur in the Indian Gaming Revenue Sharing Trust Fund
20 for the upcoming fiscal year, and shall provide to the committee
21 in the Senate and Assembly that considers the State Budget an
22 estimate of the amount needed to transfer from the Indian Gaming
23 Special Distribution Fund to backfill the Indian Gaming Revenue
24 Sharing Trust Fund for the next fiscal year. The anticipated total
25 amount of shortfalls to be transferred from the Indian Gaming
26 Special Distribution Fund to the Indian Gaming Revenue Sharing
27 Trust Fund shall be determined by the California Gambling Control
28 Commission as follows:

29 (A) The anticipated number of eligible recipient tribes that will
30 be eligible to receive payments for the next fiscal year, multiplied
31 by one million one hundred thousand dollars (\$1,100,000), with
32 that product reduced by the amount anticipated to be paid by the
33 tribes directly into the Indian Gaming Revenue Sharing Trust Fund
34 for the fiscal year.

35 (B) This amount shall be based upon actual payments received
36 into the Indian Gaming Revenue Sharing Trust Fund the previous
37 fiscal year, with adjustments made due to amendments to existing
38 tribal-state compacts or newly executed tribal-state compacts with
39 respect to payments to be made to the Indian Gaming Revenue
40 Sharing Trust Fund.

(2) The Legislature shall transfer from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund an amount sufficient for each eligible recipient tribe to receive a total not to exceed two hundred seventy-five thousand dollars (\$275,000) for each quarter in the upcoming fiscal year an eligible recipient tribe is eligible to receive moneys, for a total not to exceed one million one hundred thousand dollars (\$1,100,000) for the entire fiscal year. The California Gambling Control Commission shall make quarterly payments from the Indian Gaming Revenue Sharing Trust Fund to each eligible recipient Indian tribe within 45 days of the end of each fiscal quarter.

(3) If the transfer of funds from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund results in a surplus, the funds shall remain in the Indian Gaming Revenue Sharing Trust Fund for disbursement in future years, and if necessary, adjustments shall be made to future distributions from the Indian Gaming Special Distribution Fund to the Revenue Sharing Trust Fund.

(4) In the event the amount appropriated for the fiscal year is insufficient to ensure each eligible recipient tribe receives the total of two hundred seventy-five thousand dollars (\$275,000) for each fiscal quarter, the Department of Finance, after consultation with the California Gambling Control Commission, shall submit to the Legislature a request for a budget augmentation for the current fiscal year with an explanation as to the reason why the amount appropriated for the fiscal year was insufficient.

(5) At the end of each fiscal quarter, the California Gambling Control Commission's Indian Gaming Revenue Sharing Trust Fund report shall include information that identifies each of the eligible recipient tribes eligible to receive a distribution for that fiscal quarter, the amount paid into the Indian Gaming Revenue Sharing Trust Fund by each of the tribes pursuant to the applicable sections of the tribal-state compact, and the amount necessary to backfill from the Indian Gaming Special Distribution Fund the shortfall in the Indian Gaming Revenue Sharing Trust Fund in order for each eligible recipient tribe to receive the total of two hundred seventy-five thousand dollars (\$275,000) for the fiscal quarter.

98073. (a) There is hereby created in the State Treasury the Tribal Nation Grant Fund for the receipt and deposit of moneys

1 received by the state from Indian tribes pursuant to the terms of
2 tribal-state gaming compacts.

3 (b) The Tribal Nation Grant Fund shall be administered by the
4 California Gambling Control Commission. Moneys in the fund
5 shall be available, upon appropriation by the Legislature, for the
6 discretionary distribution of funds to nongaming tribes and limited
7 gaming tribes upon application of those tribes for purposes related
8 to effective self-governance, self-determined community, and
9 economic development.

10
11 CHAPTER 3. GRANTS OF TRIBAL GAMING REVENUE TO LOCAL
12 GOVERNMENT AGENCIES
13

14 98075. This chapter establishes the method of calculating the
15 distribution of appropriations from the Indian Gaming Special
16 Distribution Fund for grants to local government agencies impacted
17 by tribal gaming.

18 98076. (a) It is the intent of the Legislature to establish a fair
19 and proportionate system to award grants from the Indian Gaming
20 Special Distribution Fund for the support of local government
21 agencies impacted by tribal gaming. It is also the intent of the
22 Legislature that priority for funding shall be given to local
23 government agencies impacted by the tribal casinos that contribute
24 to the Indian Gaming Special Distribution Fund.

25 (b) It is the intent of the Legislature that in the event that any
26 compact between any tribe and the state takes effect on or after
27 the effective date of this chapter, or that any compact between any
28 tribe and the state that took effect on or before May 16, 2000, is
29 renegotiated and reexecuted at any time after its initial effective
30 date, money provided to the state by a tribe pursuant to the terms
31 of these compacts shall be applied on a pro rata basis to the state
32 costs for the regulation of gaming and for problem gambling
33 prevention programs in the Office of Problem and Pathological
34 Gambling within the State Department of Public Health.

35 (c) It is the intent of the Legislature that if any compact between
36 any tribe and the state takes effect on or after the effective date of
37 this chapter, or if any compact between any tribe and the state that
38 took effect on or before May 16, 2000, is renegotiated and
39 reexecuted at any time after its initial effective date, any revenue
40 sharing provisions of that compact that requires distributions to

1 nongaming or noncompact tribes shall result in a decrease in the
2 amount that the Legislature appropriates pursuant to this chapter.

3 98077. As used in this chapter:

4 (a) “County Tribal Casino Account” means an account
5 consisting of all moneys paid by tribes of that county into the
6 Indian Gaming Special Distribution Fund after deduction of the
7 amounts appropriated pursuant to the priorities specified in Section
8 98071.

9 (b) “Individual Tribal Casino Accounts” means an account for
10 each individual tribe that has paid money into the Indian Gaming
11 Special Distribution Fund. The individual tribal casino account
12 shall be funded in proportion to the amount that the individual
13 tribe has paid into the Indian Gaming Special Distribution Fund.

14 (c) “Local government jurisdiction” or “local jurisdiction” means
15 any city, county, or special district.

16 (d) “Special district” means any agency of the state that performs
17 governmental or proprietary functions within limited boundaries.
18 “Special district” includes a county service area, a maintenance
19 district or area, an improvement district or improvement zone, or
20 any other zone, district, or area that meets the requirements of this
21 subdivision. “Special district” does not include a city, county,
22 school district, or community college district.

23 98078. (a) The Department of Finance, in consultation with
24 the California Gambling Control Commission, shall calculate and
25 provide a recommendation regarding the total revenue in the Indian
26 Gaming Special Distribution Fund that will be available for the
27 current budget year for local government agencies impacted by
28 tribal gaming. The department, in making its recommendation,
29 shall consider anticipated revenue from any additional tribal
30 gaming operations.

31 (b) The following information shall be included with the
32 recommendation described in subdivision (a):

33 (1) The total amount of payments projected to be received into
34 the Indian Gaming Special Distribution Fund during the current
35 budget year in accordance with tribal-gaming compacts ratified
36 pursuant to Section 12012.25.

37 (2) The total amount of payments received into the Indian
38 Gaming Special Distribution Fund during the previous budget year
39 in accordance with tribal-gaming compacts ratified pursuant to
40 Section 12012.25.

1 (3) The total number of tribes that make payments into the
2 Indian Gaming Special Distribution Fund in accordance with
3 tribal-gaming compacts ratified pursuant to Section 12012.25.

4 (4) The name of each tribe that makes payments into the Indian
5 Gaming Special Distribution Fund in accordance with
6 tribal-gaming compacts ratified pursuant to Section 12012.25.

7 (5) The amount of appropriations made each budget year in the
8 previous 10 years from the Indian Gaming Special Distribution
9 Fund for local government agencies impacted by tribal gaming
10 pursuant to Section 12012.85.

11 (c) The department shall include the information required by
12 this section in the May budget revision.

13 98079. (a) A County Tribal Casino Account is hereby created
14 in the treasury for each county that contains a tribal casino.

15 (b) The amount to be deposited into each eligible county's
16 County Tribal Casino Account shall be calculated in the following
17 way:

18 (1) (A) For counties that do not have gaming devices subject
19 to an obligation to make contributions to the Indian Gaming Special
20 Distribution Fund, the total amount to be appropriated by the
21 Legislature for grants to local government agencies impacted by
22 tribal gaming shall be multiplied by 5 percent.

23 (B) The amount determined pursuant to subparagraph (A) shall
24 be divided by the aggregate number of gaming devices located in
25 those counties that do not have gaming devices subject to an
26 obligation to make contributions to the Indian Gaming Special
27 Distribution Fund.

28 (C) The amount determined pursuant to subparagraph (B) shall
29 be multiplied by the number of gaming devices located in each
30 county for which an appropriation is being calculated that are not
31 subject to an obligation to make contributions to the Indian Gaming
32 Special Distribution Fund.

33 (D) The amount determined pursuant to subparagraph (C) shall
34 be deposited into the County Tribal Casino Account for the county
35 for which the appropriation was calculated.

36 (2) (A) For counties that have gaming devices subject to an
37 obligation to make contributions to the Indian Gaming Special
38 Distribution Fund, the total amount to be appropriated by the
39 Legislature for grants to local government agencies impacted by
40 tribal gaming shall be multiplied by 95 percent.

1 (B) The amount determined pursuant to subparagraph (A) shall
2 be divided by the aggregate number of gaming devices located in
3 those counties that have gaming devices subject to an obligation
4 to make contributions to the Indian Gaming Special Distribution
5 Fund.

6 (C) The amount determined pursuant to subparagraph (B) shall
7 be multiplied by the number of gaming devices located in each
8 county for which an appropriation is being calculated that are
9 subject to an obligation to make contributions to the Indian Gaming
10 Special Distribution Fund.

11 (D) The amount determined pursuant to subparagraph (C) shall
12 be deposited into the County Tribal Casino Account for the county
13 for which the appropriation was calculated.

14 98080. (a) The Controller, acting in consultation with the
15 California Gambling Control Commission, shall divide the County
16 Tribal Casino Account for each county that has gaming devices
17 that are subject to an obligation to make contributions to the Indian
18 Gaming Special Distribution Fund into a separate account for each
19 tribe that operates a casino within the county. These accounts shall
20 be known as Individual Tribal Casino Accounts, and funds may
21 be released from these accounts to make grants selected by an
22 Indian Gaming Local Community Benefit Committee pursuant to
23 the method established by this section to local jurisdictions
24 impacted by tribal casinos. Each Individual Tribal Casino Account
25 shall be funded in proportion to the amount that each individual
26 tribe paid in the prior fiscal year to the Indian Gaming Special
27 Distribution Fund.

28 (b) (1) There is hereby created in each county in which Indian
29 gaming is conducted an Indian Gaming Local Community Benefit
30 Committee. The selection of all grants from each Individual Tribal
31 Casino Account or County Tribal Casino Account shall be made
32 by each county's Indian Gaming Local Community Benefit
33 Committee. In selecting grants, the Indian Gaming Local
34 Community Benefit Committee shall follow the priorities
35 established in subdivision (g) and the requirements specified in
36 subdivision (h). This committee has the following additional
37 responsibilities:

38 (A) Establishing all application policies and procedures for
39 grants from the Individual Tribal Casino Account or County Tribal
40 Casino Account. Each grant application shall clearly show how

1 the grant will mitigate the impact of the casino on the grant
2 applicant.

3 (B) Assessing the eligibility of applications for grants from local
4 jurisdictions impacted by tribal gaming operations.

5 (C) Determining the appropriate amount for reimbursement
6 from the aggregate county tribal account of the demonstrated costs
7 incurred by the county for administering the grant programs. The
8 reimbursement for county administrative costs may not exceed 2
9 percent of the aggregate county tribal account in any given fiscal
10 year.

11 (2) Except as provided in Section 98081, the Indian Gaming
12 Local Community Benefit Committee shall be composed of seven
13 representatives, consisting of the following:

14 (A) Two representatives from the county, selected by the county
15 board of supervisors.

16 (B) Three elected representatives from cities located within four
17 miles of a tribal casino in the county, selected by the county board
18 of supervisors. In the event that there are no cities located within
19 four miles of a tribal casino in the county, other local
20 representatives may be selected upon mutual agreement by the
21 county board of supervisors and a majority of the tribes paying
22 into the Indian Gaming Special Distribution Fund in the county.
23 When there are no cities within four miles of a tribal casino in the
24 county, and when the Indian Gaming Local Community Benefit
25 Committee acts on behalf of a county where no tribes pay into the
26 Indian Gaming Special Distribution Fund, other local
27 representatives may be selected upon mutual agreement by the
28 county board of supervisors and a majority of the tribes operating
29 casinos in the county. However, if only one city is within four
30 miles of a tribal casino and that same casino is located entirely
31 within the unincorporated area of that particular county, only one
32 elected representative from that city shall be included on the Indian
33 Gaming Local Community Benefit Committee.

34 (C) Two representatives selected upon the recommendation of
35 a majority of the tribes paying into the Indian Gaming Special
36 Distribution Fund in each county. When an Indian Gaming Local
37 Community Benefit Committee acts on behalf of a county where
38 no tribes pay into the Indian Gaming Special Distribution Fund,
39 the two representatives may be selected upon the recommendation
40 of the tribes operating casinos in the county.

(c) Sixty percent of each Individual Tribal Casino Account shall be available for nexus grants on a yearly basis to cities and counties impacted by tribes that are paying into the Indian Gaming Special Distribution Fund, according to the four-part nexus test described in paragraph (1). Grant awards shall be selected by each county's Indian Gaming Local Community Benefit Committee and shall be administered by the county. Grants may be awarded on a multiyear basis, and these multiyear grants shall be accounted for in the grant process for each year.

(1) A nexus test based on the geographical proximity of a local government jurisdiction to an individual Indian land upon which a tribal casino is located shall be used by each county's Indian Gaming Local Community Benefit Committee to determine the relative priority for grants, using the following criteria:

(A) Whether the local government jurisdiction borders the Indian lands on all sides.

(B) Whether the local government jurisdiction partially borders Indian lands.

(C) Whether the local government jurisdiction maintains a highway, road, or other thoroughfare that is the predominant access route to a casino that is located within four miles.

(D) Whether all or a portion of the local government jurisdiction is located within four miles of a casino.

(2) Fifty percent of the amount specified in this subdivision shall be awarded in equal proportions to local government jurisdictions that meet all four of the nexus test criteria in paragraph (1). If no eligible local government jurisdiction satisfies this requirement, the amount specified in this paragraph shall be made available for nexus grants in equal proportions to local government jurisdictions meeting the requirements of paragraph (3) or (4).

(3) Thirty percent of the amount specified in this subdivision shall be awarded in equal proportions to local government jurisdictions that meet three of the nexus test criteria in paragraph (1). If no eligible local government jurisdiction satisfies this requirement, the amount specified in this paragraph shall be made available for nexus grants in equal proportions to local government jurisdictions meeting the requirements of paragraph (2) or (4).

(4) Twenty percent of the amount specified in this subdivision shall be awarded in equal proportions to local government jurisdictions that meet two of the nexus test criteria in paragraph

1 (1). If no eligible local government jurisdiction satisfies this
2 requirement, the amount specified in this paragraph shall be made
3 available for nexus grants in equal proportions to local government
4 jurisdictions meeting the requirements of paragraph (2) or (3).

5 (d) Twenty percent of each Individual Tribal Casino Account
6 shall be available for discretionary grants to local jurisdictions
7 impacted by tribes that are paying into the Indian Gaming Special
8 Distribution Fund. These discretionary grants shall be made
9 available to all local jurisdictions in the county irrespective of any
10 nexus to impacts from any particular tribal casino, as described in
11 paragraph (1) of subdivision (c). Grant awards shall be selected
12 by each county's Indian Gaming Local Community Benefit
13 Committee and shall be administered by the county. Grants may
14 be awarded on a multiyear basis, and these multiyear grants shall
15 be accounted for in the grant process for each year.

16 (e) (1) Twenty percent of each Individual Tribal Casino Account
17 shall be available for discretionary grants to local jurisdictions
18 impacted by tribes that are not paying into the Indian Gaming
19 Special Distribution Fund. These grants shall be made available
20 to local jurisdictions in the county irrespective of any nexus to
21 impacts from any particular tribal casino, as described in paragraph
22 (1) of subdivision (c), and irrespective of whether the impacts
23 presented are from a tribal casino that is not paying into the Indian
24 Gaming Special Distribution Fund. Grant awards shall be selected
25 by each county's Indian Gaming Local Community Benefit
26 Committee and shall be administered by the county. Grants may
27 be awarded on a multiyear basis, and these multiyear grants shall
28 be accounted for in the grant process for each year.

29 (A) Grants awarded pursuant to this subdivision are limited to
30 addressing service-oriented impacts and providing assistance with
31 one-time large capital projects related to Indian gaming impacts.

32 (B) Grants shall be subject to the sole sponsorship of the tribe
33 that pays into the Indian Gaming Special Distribution Fund and
34 the recommendations of the Indian Gaming Local Community
35 Benefit Committee for that county.

36 (2) If an eligible county does not have a tribal casino operated
37 by a tribe that does not pay into the Indian Gaming Special
38 Distribution Fund, the moneys available for discretionary grants
39 under this subdivision shall be available for distribution pursuant
40 to subdivision (d).

(f) (1) For each county that does not have gaming devices subject to an obligation to make payments to the Indian Gaming Special Distribution Fund, funds may be released from the county's County Tribal Casino Account to make grants selected by the county's Indian Gaming Local Community Benefit Committee pursuant to the method established by this section to local jurisdictions impacted by tribal casinos. These grants shall be made available to local jurisdictions in the county irrespective of any nexus to any particular tribal casino. These grants shall follow the priorities specified in subdivision (g) and the requirements specified in subdivision (h).

(2) Funds not allocated from a county tribal casino account by the end of each fiscal year shall revert back to the Indian Gaming Special Distribution Fund. Moneys allocated for the 2003–04 fiscal year shall be eligible for expenditure through December 31, 2004.

(g) The following uses shall be the priorities for the receipt of grant moneys from Individual Tribal Casino Accounts: law enforcement, fire services, emergency medical services, environmental impacts, water supplies, waste disposal, behavioral, health, planning and adjacent land uses, public health, roads, recreation and youth programs, and child care programs.

(h) In selecting grants pursuant to subdivision (b), an Indian Gaming Local Community Benefit Committee shall select only grant applications that mitigate impacts from casinos on local jurisdictions. If a local jurisdiction uses a grant selected pursuant to subdivision (b) for any unrelated purpose, the grant shall terminate immediately and any moneys not yet spent shall revert to the Indian Gaming Special Distribution Fund. If a local jurisdiction approves an expenditure that mitigates an impact from a casino on a local jurisdiction and that also provides other benefits to the local jurisdiction, the grant selected pursuant to subdivision (b) shall be used to finance only the proportionate share of the expenditure that mitigates the impact from the casino.

(i) All grants from Individual Tribal Casino Accounts shall be made only upon the affirmative sponsorship of the tribe paying into the Indian Gaming Special Distribution Fund from whose Individual Tribal Casino Account the grant moneys are available for distribution. Tribal sponsorship shall confirm that the grant application has a reasonable relationship to a casino impact and satisfies at least one of the priorities listed in subdivision (g). A

1 grant may not be made for any purpose that would support or fund,
2 directly or indirectly, any effort related to the opposition or
3 challenge to Indian gaming in the state, and, to the extent any
4 awarded grant is utilized for any prohibited purpose by any local
5 government, upon notice given to the county by any tribe from
6 whose Individual Tribal Casino Account the awarded grant went
7 toward that prohibited use, the grant shall terminate immediately
8 and any moneys not yet used shall again be made available for
9 qualified nexus grants.

10 (j) A local government jurisdiction that is a recipient of a grant
11 from an Individual Tribal Casino Account or a County Tribal
12 Casino Account shall provide notice to the public, either through
13 a slogan, signage, or other mechanism, stating that the local
14 government project has received funding from the Indian Gaming
15 Special Distribution Fund and further identifying the particular
16 Individual Tribal Casino Account from which the grant derives.

17 (k) (1) Each county's Indian Gaming Local Community Benefit
18 Committee shall submit to the Controller a list of approved projects
19 for funding from Individual Tribal Casino Accounts. Upon receipt
20 of this list, the Controller shall release the funds directly to the
21 local government entities for which a grant has been approved by
22 the committee.

23 (2) Funds not allocated from an Individual Tribal Casino
24 Account by the end of each fiscal year shall revert back to the
25 Indian Gaming Special Distribution Fund.

26 (l) Notwithstanding any other law, a local government
27 jurisdiction that receives a grant from an Individual Tribal Casino
28 Account shall deposit all funds received in an interest-bearing
29 account and use the interest from those funds only for the purpose
30 of mitigating an impact from a casino. If any portion of the funds
31 in the account is used for any other purpose, the remaining portion
32 shall revert to the Indian Gaming Special Distribution Fund. As a
33 condition of receiving further funds under this section, a local
34 government jurisdiction, upon request of the county, shall
35 demonstrate to the county that all expenditures made from the
36 account have been in compliance with the requirements of this
37 section.

38 98081. In San Diego County, the Indian Gaming Local
39 Community Benefit Committee shall be comprised of seven
40 representatives, consisting of the following:

1 (a) Two representatives from the county, selected by the county
2 board of supervisors.

3 (b) One elected representative from the city located within four
4 miles of a tribal casino in the county, selected by the county board
5 of supervisors.

6 (c) Three representatives selected upon the recommendation of
7 a majority of the tribes paying into the Indian Gaming Special
8 Distribution Fund in the county.

9 (d) The Sheriff of San Diego County.

10 98082. (a) Each county that administers grants from the Indian
11 Gaming Special Distribution Fund shall provide an annual report
12 to the Chairperson of the Joint Legislative Budget Committee, the
13 chairpersons of the Senate and Assembly committees on
14 governmental organization, and the California Gambling Control
15 Commission by October 1 of each year detailing the specific
16 projects funded by all grants in the county's jurisdiction in the
17 previous fiscal year, including amounts expended in that fiscal
18 year, but funded from appropriations in prior fiscal years. The
19 report shall provide detailed information on the following:

20 (1) The amount of grant funds received by the county.

21 (2) A description of each project that is funded.

22 (3) A description of how each project mitigates the impact of
23 tribal gaming.

24 (4) The total expenditures for each project.

25 (5) All administrative costs related to each project, excluding
26 the county's administrative fee.

27 (6) The funds remaining at the end of the fiscal year for each
28 project.

29 (7) An explanation regarding how any remaining funds will be
30 spent for each project, including the estimated time for expenditure.

31 (8) A description of whether each project is funded once or on
32 a continuing basis.

33 (b) A county that does not provide an annual report pursuant to
34 subdivision (a) shall not be eligible for funding from the Indian
35 Gaming Special Distribution Fund for the following year.

36 98083. The State Auditor shall conduct an audit every three
37 years regarding the allocation and use of moneys from the Indian
38 Gaming Special Distribution Fund by the recipient of the grant
39 moneys. The State Auditor shall report its findings to the
40 Legislature and to all other appropriate entities.

1 98084. This chapter shall remain in effect only until January
2 1, 2021, and as of that date is repealed, unless a later enacted statute
3 that is enacted before January 1, 2021, deletes or extends that date.

O